

Evolution in Voting Practices  
and the Iowa Primary Law

# ANNALS OF IOWA

ESTABLISHED 1863

Third Series

Vol. XXIX, No. 4

APRIL, 1948

PUBLISHED QUARTERLY BY  
IOWA STATE DEPARTMENT OF HISTORY  
AND ARCHIVES  
DES MOINES, IOWA

# Iowa State Department of History and Archives

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## ANNALS OF IOWA

In the more than half a century THE ANNALS OF IOWA has been published, it has been a repository for, and made available to the people generally, a vast amount of interesting and accurate data on the history of the State that otherwise would not have been accessible. The securing of material, and editing and supervising its publication, is a part of the immediate task of carrying on the work of the Department in harmony with its well established traditions.

THE ANNALS welcomes for publication the contribution of the reminiscences, the writings, the biographies, observations and studies of those familiar with Iowa people and with important and significant events and movements in the state's history.

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A MAGAZINE OF HISTORY

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AND ARCHIVES

CLAUDE R. COOK, Curator  
DES MOINES

# *Annals Contents . . . April 1948*

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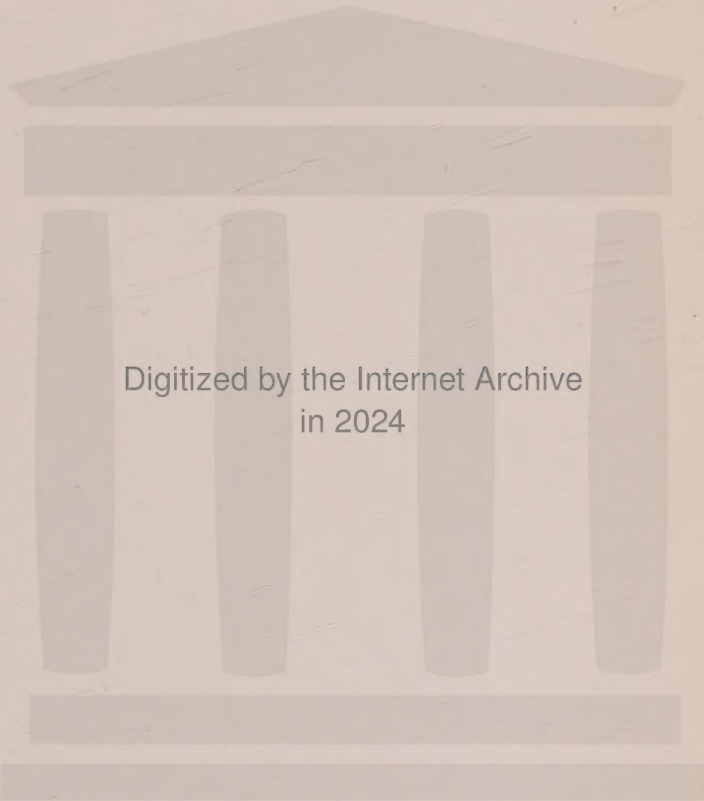
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# GOV. A. B. CUMMINS SIGNING IOWA PRIMARY ELECTION LAW

Members of Elections Committee  
Thirty-second General Assembly

(Seated at Left) Sen. Warren Garst, (Seated at Right) Sen. A. C. Wilson; (Standing Left to Right) Sen. Wm. P. Whipple, Sen. Jas. A. Smith, Sen. Geo. W. Dunham, Sen. Shirley Gilliland, Sen. Chas. F. Peterson, Sen. Robert C. Stirton, Sen. Joseph Mattes, Sen. Chas. G. Saunders, Rep. John H. Darrah, Rep. L. D. Teter, Rep. Nels J. Lee, Sen. Dan W. Turner, Rep. Edw. McDonald.



# Annals of Iowa

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## EVOLUTION IN IOWA VOTING PRACTICES

By EMORY H. ENGLISH

Three co-operative elements were active and potent in the leadership of the Republican party in Iowa from the seventies to the nineties. First were the Civil war veterans—the citizen soldiers of the Union army. They were aggressive as well as numerous, and influential here, as elsewhere. Four Union generals, Grant, Hayes, Garfield and Harrison, and Major McKinley, reached the presidency; and Iowa had sent over seventy thousand men to the front in response to Lincoln's calls.

Then, there were the railroad corporations, lines of which traversed the state, likewise powerful in other northern states, with their vast army of officials and employees, particularly those in the legal and administrative departments, that maintained contacts with business institutions and public officials.

Associated with these influential groups, and affording vocal leadership in a most practical and effective way, was "The Regency", as the *Iowa State Register* at Des Moines, with its distinguished and talented editor, James S. Clarkson, was generally known in Iowa political circles.

In that peaceful and complacent era these coadjutant elements exerted almost complete control of the state, district and local Republican nominations for office, and for many years dominated and directed the party organization. The responsibility assumed and procedure resulting were known and clearly understood by everyone. Usually able and patriotic men were favored and put forward as candidates; and a directive party leadership,

holding itself answerable generally for the administration of public affairs, was successfully maintained for a long period of time. .

The Civil war veterans, like those of all sanguinary conflicts, felt they justly were entitled to conduct public affairs and enjoy the distinction and privilege of filling official stations, the important as well as the less remunerative. Primarily they regarded this as reward for their successful efforts in holding together the nation and assisting President Lincoln in putting down the Rebellion. Among them were able men, and in time the Iowa delegations in congress, as well as state and local officials, were in large part selected from their ranks. The Republicans long held undisputed sway in Iowa, except during the early nineties, when the Republican espousal of prohibition of the sale of intoxicating liquors became an issue and resulted in election for two terms of Gov. Horace Boies, then a democrat; and again during the Herring-Kraschel regime.

Interest in politics by the railroads and kindred corporations in this and other states was purely selfish. Under the taxation system then operative here valuations of railroad properties, and those of telephone, telegraph and express companies, were fixed by the state Executive Council, an ex-officio body composed of the governor, the secretary of state, the state auditor and the state treasurer. The selection and nomination of men for these positions, as well as for congressmen in the several districts of the state, were made through a system of political party caucuses and conventions. United States senators were elected then by the general assembly and not by a popular vote. Therefore, the members of the assembly were of equal interest to those corporations, as they controlled legislation whereby changes could be made in methods of taxation and other laws.

The leadership of "The Regency" became acknowledged mostly by reason of the remarkable ability and patriotic personal worth of James S. Clarkson, a man of excep-



tional talent and resourcefulness, who was editor of the *Register* until he relinquished active relations with its publication in 1889, having been appointed assistant postmaster general, and his brother, Richard P. Clarkson, then became editor. The new editor was equally assertive, and somewhat resourceful, but lacked the agreeable and genial qualities that had made his brother personally popular and effective in political leadership. However, despite the change in editors, the *Register* for a few years continued the newspaper leadership it had so long enjoyed.

This, in brief, was the political setting and outline of the directive forces that governed the attitude and course of the Republican party in Iowa for a long period prior to advent, in the nineties, of the "progressive movement" within the party, that was to wrest from these not unpatriotic but determined elements the leadership which they had so long enjoyed.

Incidence of party custom, not subject to any regulation by law or official surveillance, had developed a pattern of political procedure known to all, in which the minimum of party membership enjoyed control of action. Within the dominant political party the congressmen next were influential in the selection of party candidates; while usually in the party of opposition the state and county organizations later prepared and announced party slates.

Due provision for definite responsibility in the operation of party machinery was needed, as well as individual participation in the nomination of party candidates, although it could not be made a popular election altogether and retain a needed degree of such responsibility. Self-government as we know it in America, and of which we are proud, augments and guarantees the strength and safety of the republic. To obtain this, party leadership and responsibility must be definite and recognizable. Therefore, the convention system or party councils, composed of elected delegates representing definite geograph-

ical areas, be they county or state, cannot with safety be abridged, encroached upon, nor supplanted in entirety by any system of limited popular elections open to participation by those not truly members of a party or sympathizing with its ideals and principles.

In the test for change to secure legal regulation, resistance was more stubborn and unyielding locally than among those in higher station. Elements outside the circle of control insisted upon some reform in election methods, although not all of the irregularities were attributable to any one faction. The general standards of existing election procedure were not commendable, and particularly the nominating machinery seemed very imperfect, being without legal control and open to manipulation and fraud. It must be said, however, in all truth and candor, that the output of party conventions was superior in quality in the majority of instances to that resulting later in the plural direct primary which supplanted them; there is no question about that! But those superior men accepted high stations with knowledge of the frauds and favoritism practiced in the caucuses preceding the conventions, and to a degree were sullied by them.

#### IMPORTANT REFORMS OBTAINED

The changes made in methods of conducting elections in Iowa in most part were intended to eliminate fraud in balloting and to obtain honest counting of votes cast. Agitation for reform in voting practices brought about wholesome improvement in methods long open to strategem and trickery. So flagrant were the violations of the sacredness of the ballot, that countless restrictions have been required to protect the public interest and the voters' rights. The diversity of change included important reforms obtained in Iowa during the last half century.

Perhaps the first of these was the enactment of the Australian ballot law in 1892, operation of which was later augmented by authorization of the use of the vot-



ing machine. Another was the first primary election law, restricted to Polk county, adopted in April, 1904, providing legal regulations for nomination of party candidates. Also, in the same year, culminated the long fight for biennial elections, approved by popular vote in November, 1904.

Then, in 1907, came the enactment of a law by the legislature providing for a party primary election vote in nomination of candidates for United States senator, although actual election was still required to be made by the state legislature. The act of the congress of the United States submitting a constitutional amendment authorizing popular vote for the direct election of senators, was referred to the 48 states May 16, 1912, and was ratified after approval of 38 states on May 31, 1913. The first direct election of a United States senator was had in Iowa in 1914.

The Thirty-sixth General Assembly in 1915, enacted what has been termed the absent voters' act, to enable electors to vote at any general, special, primary, county, city or town election, when absent or anticipating being absent on the day of such election from the county in which they are electors. Also, the same legislature provided a statute regulating political advertising. Two noteworthy experimental acts tried out and subsequently repealed provided for the non-partisan nomination and election of judges, and a presidential preference primary law.

The purpose and intent of practically all this legislation was to secure for the voter and party member free and untrammelled exercise of individual choice in selection of candidates and public officers, without interference or hinderance from any source. It was James Bryce, after a visit to this country, who said: "A final stage in the evolution of government by opinion would be reached if the will of the majority of citizens were to become ascertainable at all times." But, under prevailing procedure in Iowa elections at that time, with



so limited number of the electorate having opportunity of exercising choice in the framing of party tickets, their "will" was an unknown factor.

### THE AUSTRALIAN BALLOT

In the matter of the Australian ballot reform, the voters previously were bewildered and annoyed by the multiplicity of tickets offered them, some being thrust into their hands even when they were in the act of voting. All manner of pressure and intimidation were practiced, and high-handed methods of voting and counting of votes were indulged in and tolerated. Edgar R. Harlan, in his *History of the Peoples of Iowa*, thus described conditions obtaining in the Iowa elections of 1888 and prior years:

. . . There were no provisions for secrecy in making out or casting the ballot. The official election machinery took control only after the vote was put into the ballot box. Each party would print its own ticket, and these tickets had no more official character than an ordinary handbill. Such a ballot would be handed a voter outside the polls, and a watcher could observe the voter until he deposited the ballot in the box.

Voting conditions had become intolerable; the imposition and intimidation practiced were unbearable; and under operation of the new law their disappearance was a distinct relief. During the period from 1889 to 1891 more than thirty states adopted the combined official ballot. In his concluding message Governor Larrabee recommended its adoption in Iowa. This law contains two essential provisions that safeguard the rights of the elector. All ballots used are official and contain the separate party tickets. They are printed by the county or city, or appear upon official voting machines, where same are used in balloting, and remain in the custody of election officials. The second favorable provision is the use of a booth or screen to afford seclusion for the voter while he prepares his ballot. Those of the present generation little appreciate the improved conditions secured. The system encourages party regularity and tends to preserve party responsibility, so essential in the two-

party system of our country. This is encouraged and emphasized in the privilege of using a party circle in voting a straight party ticket. It once was removed to induce independent voting, but later quite properly restored.

The tendency of groups to impose their will upon individual voters in the exercise of their franchise has been in evidence since the early days of the nation. Even after the adoption of the constitution it became necessary to add the "bill of Rights," to make secure the individual rights of American citizens. Those having opposing ideas of form of government and the management of public affairs then organized themselves into political parties representing opposing schools of thought or conflicting interests, which were influential in national, state and local affairs. Thus was secured responsibility through well-defined party organizations. Today we see great pressure groups organized and often controlled by individuals or interests having no party allegiance or responsibility, purely selfish in character, breaking into or joining some political party only temporarily and co-operating with or using it only so long as their selfish interest dictates, without first regard for the public welfare. To creditably maintain the two-party system upon which our form of government is based, more rigid legal requirements must regulate the registering of the party affiliation of the individual voter, who is presumed to have consistent and recognized membership in some political party not dominated by any other group.

#### BIENNIAL ELECTIONS

The benefits secured through biennial elections have been enjoyed in Iowa for almost fifty years, and a return to annual elections never has been suggested. In fact, with primary elections being held ever since the abandonment of the regular fall election in alternate years, a return now to annual general elections would be difficult, without the electorate being occupied constantly with candidates for something or other. Like-

wise, there is not the slightest thought in any quarter of abandonment of the Australian method of balloting.

### PRIMARY ELECTIONS

With all the initial efforts to plan and organize local county and state governments in the great Northwest Territory and the Louisiana Purchase, and the states eventually carved therefrom, there was little thought or evidence of disposition on the part of any one to evolve any sort of legalized political party machinery for the nomination of partisan candidates for public office. From the beginning of participation in political maneuvering in the colonies, apart from the exercise of the appointive power, the town meeting or caucus and convention methods prevailed. Even the organization and establishment of local governments in the creation of townships, and providing for justice courts and other township officers, which was a departure for the New England practice and organization, did not lead to exercise of legal authority of any kind over the activities of political parties. Therefore, the providing of a system for conducting primary elections in effecting the nomination of party candidates was as distinct a reform as the securing of an improved method of balloting.

The party caucus was a closely managed and too often a manipulated event. It was an old-established and time-honored custom in Iowa, and in most other states. All political parties had used it from the early days of statehood. As a general rule cliques or groups within party organizations controlled. None other than well-known members of a political party were allowed to participate, and outsiders excluded. Party lines were closely drawn, and the precinct, county and district committeemen were looked upon as all-powerful, if not omnipotent. Only zealous workers in a controlling faction had opportunity of expression; in fact others would be lucky to know where and when the caucus would be held.

Frequently the precinct committeeman with a few others would assemble on a "snap" notice, elect a "slate"



of delegates, and quickly adjourn. Then, again, a reverse procedure would be resorted to, and a caucus would be "packed" in the interest of some candidate or set of delegates favored by those in charge.

A typical ruse to attract voters from a regularly called party caucus was to organize a competing event. In a north Iowa county the "fortunate" burning of an old shed in the outskirts of a small town at exactly the advertised hour of the holding of the caucus attracted nine-tenths of the people of the village, including members of the volunteer fire department. In the meantime, those in the "know" assembled at the caucus, the hour having been fixed, selected a "slate" of delegates without opposition and adjourned. This group of seven delegates were sufficient to secure control of the county convention, which in turn named an instructed delegation to the state convention. It may be said in extenuation of this particular occurrence that these means were resorted to by a minority in one precinct in order to circumvent the control of the county convention by the Republican county committee, which expected to "deliver" a delegation to the state convention favorable to a certain candidate for governor.

In operation it was a system of control through which, usually, the larger number of party voters were deprived of a voice in nomination preliminaries, a practice as abhorrent in its unfairness as it was dishonest in operation, continuing the same degree of disregard for the rights of the voter that had characterized general election practices prior to the adoption of the Australian ballot system. Citizens were outspoken in condemnation of the caucus, and newspapers were filled with recitals of its iniquities.

But no regulatory legislation on the subject was forthcoming. As a rule, and in the ordinary course of events, legislative bodies rarely take the initiative in the extension of greater privileges to the people; equally rarely is there refusal to make such grants when there is suffi-

cient importuning backed by popular pressure. Pages could be written upon the causes and course of the political democratization of official procedure in the newer states of America. During the period of the territorial phase, the government at Washington always held a tighter rein over local administration than ever had been true in the comparable British system, from which were derived forms developed in the United States. But the independence of the individual American in both thought and action must be reckoned with in the end. A desire to participate more actively in the affairs of government is present in the ambitions of every citizen. Urgings to that end operate with increasing pressure and arouse sentiment to carry into execution these promptings.

#### COUNTY PRIMARY RULES ADOPTED

In Butler county, the former home of the late Gov. Frank D. Jackson, a voluntary county primary plan was adopted by the Republican county committee, for use until a state law might be obtained. It combined a primary election with the convention system for nominations upon county tickets. There was no thought of dispensing with convention nominations. Commending this move the *Des Moines News*, led in urging such action in Polk county, saying:

This plan would not be a bad one here, if modified to suit our peculiar situation as to wards, townships, supervisor districts, etc. It would insure a wiser local distribution of candidates than the pure primary system, without sacrificing any of the fundamental advantages of the latter.

Whatever plan is adopted here should provide definite rules for the binding force of instructions voted at primaries. They should be held good and enforced for a certain number of ballots and then all delegates should be released from their binding force at the same time, so as to be free to vote their choice regardless of instructions. As present, the conscientious delegates stand by their instructions, while the tricky schemers violate them and make the nomination. This places a premium on rascality. . . A good primary election law is a prime need in Iowa.

Spirited campaigns for city offices were in progress in Des Moines and other cities in Iowa. The canvass

for nominees upon congressional and state tickets appeared in the immediate offing. One of the most bitter and savage congressional fights ever witnessed in the state occurred that year in Polk and surrounding counties comprising the Seventh district. James G. Berryhill, a former leader in the Iowa legislature, became a candidate for the Republican nomination in opposition to Congressman J. A. T. Hull. Aggressive campaign organizations spread over the district, and in Des Moines the rivalry and feeling were intense. The issues between the congressional candidates also involved the Des Moines city candidates in the election that spring of 1896. The city Republican committee arranged a limited form of primary nominations, with requirement for holding open the polls in all precincts during the same hours and secured agreement for selection of judges and clerks. Thereby partial improvement in practices were expected.

Quickly there came insistent demand that the Polk county Republican committee take similar action on the same voluntary basis. The situation was canvassed and on May 20th the committee authorized selection from its membership a representative from each of the Des Moines wards and the three supervisorial districts in the rural section of the county, a total of ten, to constitute a committee to draft rules of procedure for holding a Republican primary election that year.

At the time the writer was the precinct committeeman in Walnut township, in the Fifth supervisorial district, residing at Valley Junction, and editor of the *Valley Express*. I was selected by the committeemen in the several townships comprising that district to serve as a member of the rules committee, and assisted in writing the new party rules. Identified with party activities, as in later years, I was conversant with conditions, and now recall vividly the events herein recited. I am conscious of a responsibility in accurately detailing in this historical setting the developments and incidents of that period, which proved important steps in the evolution



of the primary election system that we now have in Iowa, with all its recognized imperfections, though asking indulgence in the incidental personal references.

As a method of political and official procedure the Iowa primary law now in use must be viewed in the light of its origin. General elections in the state had been fairly clean and honest in operation, and were decidedly improved following the use of the Australian ballot, although quite naturally sometimes disappointing in results as regards the individuals selected, as compared with those available. But, fraudulent, dishonest and downright unpatriotic practices obtained in the party nomination machinery then employed.

The committee thus named and authorized for the work of drafting the new rules, included the county chairman, and all members were experienced in details of party work. A majority of those selected were from the ranks of the supporters of Mr. Berryhill, which group originally had urged the desirability and need of the reform proposed. But all joined in the effort to formulate and present to the Republicans of Polk county rules that would be workable and fair, well calculated to improve in marked degree the conditions complained of, and receive approval of the voters. In the several meetings required the members worked zealously, but with care and deliberation, well understanding that the people of the whole state were much interested and looking to this county for leadership.

Upon completion of the final draft the new rules were promulgated June 12, 1896, prior to the county primary election of June 27th under the provisions authorized, and then were approved by the Republican voters of the county in that primary by a vote of 5,075 for, to 1,499 against, thereby pioneering in the new system. Happily the rules for the half-day primary proved corrective of many of the abuses previously experienced in the caucus system, and never were rescinded or modified until event-

ually superseded by the first Iowa primary election law enacted in 1904. Thus was bridged the hiatus between the old order and the new to come later.

Subsequently, upon removal to Mason City, as editor of the *Mason City Daily Times*, through advocacy of the need and desirability of such reform there, I assisted in securing the adoption and use of the same rules, only slightly modified, by the Cerro Gordo county Republican committee. While in neither county did the procedure thereunder completely purify political practices in vogue, "snap" caucuses were no longer possible, the primary polls being open during the same hours in all precincts for selection of delegates to county conventions, and expression secured of preference between candidates upon an official party ticket issued by the county committee, containing names of the county, state and congressional candidates who might desire to have them appear thereon, with report tabulated at close of the polls of votes cast, and delivery of the returns to the county committee headquarters.

So marked was the improvement in party practices under these voluntary rules that soon a widespread sentiment developed and demand expressed in various sections of Iowa for enactment of a state-wide primary election law, in which might be included legal penalties for fraudulent acts, which county organizations could not control.

#### GOVERNOR DRAKE'S RECOMMENDATION

Discussing legal preventatives for prevailing frauds so flagrantly perpetrated, the advocates of cleaner elections in Iowa earnestly sought effective means of reform. As early as 1897 Gov. Francis M. Drake had noted a widespread desire, "especially among people living in the city, that there be enacted a law for the regulation of primary elections." He referred to the Kentucky law upon the subject as perhaps the best enacted by any of the states. This statute provided that "each elector might, when registering his name, also enter his party

affiliation." Only those in that state, who at such time thus expressed a party preference, would be entitled to participate in the subsequent primary election making party nominations.

In the Twenty-sixth General Assembly Representative Charles Early, of Sac county, proposed a bill "for the control of primaries and caucuses in Iowa," based upon the laws of Illinois and Kentucky. It provided severe penalties for fraudulent voting and counting of ballots, placing control in the state government. At the time the *Des Moines News* said:

A law upon this subject has been needed in this state for years and will be worse needed in future as the state grows older and is invaded by the corrupt practices prevalent in many of the older states. . . Des Moines would heartily welcome the passage of a well-guarded law on this subject.

In urging immediate consideration of the subject by the legislature then in session, the *News* again commended the substitution of primaries for caucuses, saying:

The popular demand for the abolition of caucuses and the substitution of primary elections in our city and county politics has forced the politicians to give a reluctant consent, and all factions are now agreed that primaries will be held this year. Only those entitled to vote should be permitted to take part, and they should be permitted to vote in booths untroubled by the thugs and heelers who infest polling places not thus protected. If possible the primaries should be conducted under a law promptly but carefully enacted by the present legislature. The primaries should be arranged for in the most careful manner.

#### PROGRESSIVE SENTIMENT GROWS

Significant events of political import in Iowa now were in the making. Anti-organization sentiment became bolder in many sections of the state. A railroad commission had been established to attend to a job of regulation; the war veterans were becoming fewer; J. S. Clarkson had gone to Washington, and thence to New York. He was no longer available here as the friendly and able political counsellor and leader of delegations to state and national conventions. Something of a revolution was taking place in Iowa in the thinking of individual



members of the dominant political party. A political dynasty was in the throes of dissolution. William Larabee had given voice to views that pointed the new way. The "progressive" wing in the party, which previously had barely a foothold, was emboldened with new hope, with promise of a day when men would not rule entirely through means of discipline and patronage. New men from their ranks began to take places in the state house and upon the Iowa congressional delegation. The "Progressive Republican Movement" began to flower; but that is another story embracing a wide range of reforms achieved, of which the state primary system of making party nominations eventually was one.

Dealing with the shortcomings in the election process in Iowa at that time, the *History of the Peoples of Iowa* says:

Students of politics had long recognized that many of the evils in government arose from the unregulated party nomination system. The electors as a rule had a choice between two or three candidates, but there was no power to compel a party to submit its choice of candidates to approval until the nomination had been made. To bring the party system under the law was one of the chief goals toward which political reform tended in the early years of the present century. Thus came about the agitation for the "direct primary," which had been urged as early as 1897 by Robert LaFollette, of Wisconsin, as a means of safeguarding the government against bosses and corrupt interests. Wisconsin was one of the first states to enact a primary election law. The discussion of such a measure was made a prominent feature by newspapers in Iowa during 1903.

In the Twenty-ninth General Assembly convened in January, 1902, Sen. James J. Crossley, of Winterset, Madison county, introduced a bill, Senate File No. 2, providing for the nomination of officials and the election of delegates to the conventions of political parties or organizations, by a primary election. Sentiment in the legislature at that time supporting enactment of a primary election law was not developed sufficiently to secure passage of this or any other bill upon the subject.

However, it was discussed and served to introduce to legislators the widespread demand that led to its presentation for consideration.

This bill was largely along lines of the voluntary county rules provided by Republican county committees; but, of course, was applicable to all political parties. While provision was made for direct nomination for county official tickets, the several district and state conventions would make nomination of candidates through delegates selected in county conventions. Names of candidates for state and district offices were to appear upon precinct ballots and results of the vote be reported to county auditors; but there were no provisions covering the significance or subsequent use of the tabulated vote for candidates for positions above the county ticket. Voters were entitled to receive a ballot of only one political party, that with which the elector then declared that he affiliated, and the nominees of which he would vote for at the next general election, though not required to specifically declare his past party affiliation.

#### LEGISLATIVE ACTION DELAYED

As a member of that assembly I acquainted myself with the provisions of the bill and favored its objectives. It was not well organized as to details and would have required rewriting to have proved successful in operation. The author refused to consider an amendment offered by opponents that would have made the measure optional by counties. The assembly really was not ready to enact a primary law, and the bill eventually was indefinitely postponed, a disappointment to those interested in the subject.

However, the ice was broken, and the period between the adjournment of the Twenty-ninth and the convening of the Thirtieth General Assembly was devoted to general discussion and arguments. Unquestionably the time was ripe for serious consideration of the enactment in Iowa of a primary election law. Party leaders were aware of it; newspapers discussed it; the demand among

voters was insistent for it; but county officers and many others differed as to its value and some deplored the possible expense involved in operation. They were used to the caucuses, and quite naturally questioned whether they could succeed themselves through means of a primary election nomination. Such reasoning was fallacious, for now, under operation of the primary system, county officers are renominated five and six or more times; not especially a recommendation for its satisfactory operation.

Aware of this agitation and having familiarity with the subject, after my renomination in 1903, I made a careful analysis of the whole situation. Learning with regret that Senator Crossley had abandoned his support of a legalized primary and convention system of making nominations, and instead would offer at the approaching session a bill for a direct plural primary method, similar in provisions to the Wisconsin law, I conferred with legislative acquaintances and reached the definite conclusion that the selection of delegates to conventions at primary elections would best serve to promote and retain party responsibility. With no legal penalties for wrongful practices under operation of the voluntary county rules, the provisions were being disregarded in many voting precincts, and a rigid law was clearly a necessity. Citizens of Polk county were outspoken in favor of a state law and I was urged to secure early and favorable action in the assembly.

A campaign for nomination of city officers in Des Moines started early in January, 1904, just prior to the opening of sessions of the Thirtieth General Assembly. It operated under rules adopted by the Republican city committee that had no legal standing or supervision, though called a "primary." Gross frauds, including stealing of ballots and ballot boxes were perpetrated, and the city and state was quite properly shocked and scandalized. This added new demand for the enactment



of a strict primary law with severe penalties for perpetrating of fraud, and taking from party committees the selection of judges, which was then the custom.

### DEMANDS FOR A PRIMARY LAW

Des Moines citizens were quoted in the local papers in comment and criticism. From the public statements of many of the prominent people, I quote the following:

I know of no law so much needed as a good state primary law. . . . It should be of uniform application all over the state and no option about it.—Quincy A. Willis, Deputy State Treasurer.

A state primary law is needed and no mistake about it. The law should be compulsory and all counties and all parties should be treated alike under it. It is something the state of Iowa greatly needs.—Geo. A. Newman, Secretary of the Senate.

It is high time we had a state primary law started in Iowa. The fact was demonstrated in Des Moines. Something will have to be done to make fair and decent elections.—Oscar Strauss, Attorney.

I believe that Iowa should have a good primary election law and the recent primaries of the Republican party in Des Moines only emphasize what we have long known.—Robert O. Brennan, County Attorney.

The primaries should be conducted on as high a plane as the elections of the state. I believe that everyone regrets the manner in which they have been conducted, which can only be avoided in the future by a good primary law.—Fred A. Cope, County Auditor.

I favor a state primary law and its rigid enforcement. It is something we very much need in Iowa, especially in cities like Des Moines.—Ole O. Roe, State Insurance Division.

I would like to see a primary law which would give all men equal chances in politics and make it possible for every voter to cast his vote as he pleases and have it counted honestly.—Col. J. C. Loper, Sheriff, Polk County.

I am in favor of a primary law that will cut graft out of primary elections and give every honest man as good a chance as the rogue.—Charles Schramm, City Assessor.

Whether any statute can be devised that will make dishonest men honest in primary affairs may be questioned, but a carefully prepared law ought to minimize the evils. Anyway, I would like to see the experiment made.—Dwight N. Lewis, Secretary Railroad Commission.

We need a strict primary law which prevents repeaters and allows none but Republicans to vote in Republican primaries. As

it has been, there are no Democrats during Republican primary elections.—E. J. Frisk, Secretary City Central Committee.

There certainly should be a good primary election law. Some years ago when I was on the *Register* I endeavored to get such a bill passed.—R. P. Clarkson, former Editor *Iowa State Register*.

The primary election law has become a public necessity, not only that the voter may have his right of franchise reserved and a candidate get a fair expression from his party, but as a defense to public morals. Our election laws must be preserved in their purity or a frequent association with corrupt practices incidental to primary elections will soon permeate our general election.—W. N. Jordan, Attorney.

The need of a primary law is so obvious to a Des Moines citizen that it seems useless to discuss it. The Republican party is so overwhelmingly dominant in this state that a primary is equivalent to an election at the polls; there should be thrown about a primary election the same safeguards as protect a general election.—J. A. Dyer, Attorney.

Adopt a primary law which will contain every feature of the present general election law of Iowa. I would make it plain and explicit and make the punishment (for fraud) as severe as possible.—H. M. Belvel, Editor Des Moines Democrat.

I am in favor of primary law that will give honest candidates a chance.—John Lucas, City Auditor.

I am of the opinion that we should have a primary election law that would make it a misdemeanor for anyone other than members of the party to vote; that judges should be appointed by the party committee and that candidates before the primary should have nothing to say as to who the judges shall be.—E. R. Mason, former Clerk of Federal Court.

I want to see a primary law properly legalized which shall make it impossible for fraud to be perpetrated at such an election. I think there is no doubt such a law can be devised.—John C. Crockett, Clerk Iowa Supreme Court.

I am not so sure that a state primary law should be applicable to every county. It seems to me that counties like the one in which I live (Davis) ought not to be compelled to have it unless it is wanted. But a state primary law with optional features is feasible and we ought to have it at once.—B. F. Carroll, State Auditor.

I should say the state legislature cannot act too quickly nor too strenuously on a primary election law. We don't need it in Waterloo, but Des Moines does.—W. L. Illingworth, Member Waterloo City Council.

I am heartily in favor of a stringent primary law and believe it should be passed. It is apparent to everyone that our present system is becoming intolerable. Such a law should be hedged about with such restrictions as will prevent any person from voting who is not legally entitled to vote and such penalties should be attached for illegal voting that no one will dare present himself at the primaries unless legally entitled to vote. Governor Cummins found it necessary to advise in no uncertain terms the passage of a primary law. He recommends the delegate convention, which I believe would be a wise provision in such a law. Representative English from this county has devoted considerable time to the preparation of a bill which I am advised he will introduce in the legislature. I have been permitted to read a draft of English's bill and if it can be passed by the legislature, in my judgment, will effectually remove the unfortunate conditions that surround the selection of party candidates.—C. C. Dowell, Senator Polk County.

The above resumé of expressions from public men reflected the general sentiment. Some doubted the success of such a law, but desired the experiment made. It was well understood then, as now, that it is not possible to eliminate heat and rivalry from political campaigns, but everyone conceded that it would be wholesome to improve the mechanics of balloting and making nominations.

#### A PRIMARY BILL DRAFTED

After consulting the statutes of the states where primary election laws were in operation, and favoring the retention of party conventions as an integral part, thereby retaining party responsibility, I drafted a primary bill. This I submitted for study to a number of those who also had given the subject some consideration, not all of whom favored establishment of legalized primaries. Constructive criticisms and suggestions were received, and when the Thirtieth General Assembly convened I introduced the measure as House File No. 1. In general terms it was not entirely dissimilar to Senator Crossley's new "pure" primary bill, excepting in the sections included necessary to retain party conventions, being a bill for an act providing for the nomination of officers



and election of delegates to conventions of political parties or organizations by a primary election. The chief features were:

Australian ballot system to be used with ballots virtually the same as at general elections.

Compulsory and state-wide in scope for all state, district and county offices, filled by popular vote at the general election.

All parties participate on the same day, at the same place, and use the same ballot box.

Any party may be represented that polled ten per cent of the vote in the preceding general election, or presents a petition containing two per cent of the names of the qualified voters.

Delegates to party county conventions and party county committeemen also chosen at the primary.

Judges and clerks are chosen in the same manner as for general elections and with the same compensation.

Those desiring to vote at spring primary must register party affiliation at the prior fall election.

Candidates desiring names upon the official ballot must file statement with county auditor, stating they intend being candidates for a specified office.

Candidates for a state office must deposit \$200.00, and for district offices \$10 for each county in which they are filing, and for county and city candidates a fee of \$5 is required.

Delegates receiving highest vote shall be declared elected. Delegates may not appoint proxies.

The county convention, composed of the delegates chosen in the various voting precincts, is empowered to make nominations of candidates for the party for any office to be filled by the voters of a county. The county convention selects delegates to district and state conventions, who in turn nominate districts and state party candidates.

Each precinct committeeman may designate two challengers for his party to serve at the precinct polls.

Penalties are imposed for misconduct on part of officials, for bribery, perjury, repeating, etc., the same as at general elections.

The county conventions shall convene upon the Saturday next following the primary. The county auditor makes certification of returns of the primary to the party conventions.

When the convention is organized, if any candidate for county office has enough instructed delegates to constitute a majority of all, he shall be declared nominated without formality of ballot. Where no one has such majority the roll shall be called and the delegates from each precinct shall vote in turn until some candidate for each office to be filled receives a majority.

All delegates chosen and serving shall be considered as instructed to vote for, as long as good faith requires, and use their best endeavors to secure the nomination of persons for the various positions to be filled who have received the largest number of votes respectively in the precinct wherein the delegate was elected.

Among the many and varied comments and letters received discussing the bill and its merits, there was one from Mr. R. P. Clarkson, then U. S. Pension Agent at Des Moines, formerly editor of the *Iowa State Register*, who favored regulation of primary elections by law, but hesitated in creating the public expense involved, which was typical of the expressions of many others. He said:

My Dear Mr. English. I have endeavored to read your primary election bill "with the spirit and the understanding," but it is too long to be read and remembered. I do not like the fee feature of the bill. That alone will defeat it. Making counties responsible for the costs of the primary elections makes the bill unpopular with the people. These mainly are the objectionable features of the bill, as I view it. Of course, I may be wrong, but I have given you my candid opinion.

The people desire to stop all rascality in the nomination of candidates, but not to load the expense of the nominations on the taxpayers. We want a short primary election law that the people can comprehend—a law that will make the general election law apply to the primary elections. Very little more law is needed, but the needed portion must be direct and efficient.

Always sincerely yours,—R. P. CLARKSON.

Manifestly the expense of holding a primary election must be paid; if not by the candidates, then by the public. I had sought to equalize the burden by requiring candidates to pay stated sums for the privilege of having their names appear upon the primary ballots. This would assist in defraying the expense, and also have a tendency to limit the number of candidates. The fee feature was eventually eliminated.

#### GOVERNOR CUMMINS RECOMMENDS

In the biennial message of Governor Cummins delivered to the general assembly the urgency and need of a primary law was emphasized. He asked that the law might "surround the selection of candidates with the same safeguards against intrigue, dishonesty and un-

fairness, that already exist with regard to the election of candidates to office," and said that "the delegate convention ought to be preserved." The message stated:

There has been much discussion in Iowa during the past few years respecting a primary election law, and I believe that public opinion has gradually ripened so that now there is a great preponderance of sentiment in favor of some regulation that will insure common decency and fairness in the nomination of candidates for office. There is practically no fraud, dishonesty, or even unfairness in the conduct of general elections, but the manner in which caucuses, party primaries, and other proceedings leading up to nominations are held, and the practices which attend them in many parts of the state, have become intolerable with clean, fair-minded people.

Corruption in this important stage of government poisons free institutions at their fountain head, and there is nothing can be done for the removal of this blot upon our affairs too difficult nor too expensive to be undertaken. I need not recount the evidences of my statements. They are all around you, and are well known to every man who gives the most casual attention to what is going on.

I commend the subject to your careful consideration, and earnestly recommend the passage of a law which will surround the selection of candidates with the same safeguards against intrigue, dishonesty and unfairness, that already exist with regard to the election of candidates to office.

While I recognize that there are wide differences of opinion concerning the scope, as well as the detail of such a law, I venture to express the opinion that it should have the following features:

First—It should include all municipal, county, state, and congressional offices, filled by the voters.

Second—The primary election for all political parties should be held at the same place and time.

Third—It should include a system of registration, where registration is now required at general elections, and where registration is not required at general elections, it should include an adequate plan for identifying the voters.

Fourth—It should provide severe penalties for fraud, intimidation and bribery.

The greatest objections which I have found in studying the measures adopted by other states, and the subject generally, has been that in the complete primary election system, a plurality, instead of a majority, will nominate. I regard this as a weakness, because it prevents in some instances the exercise of a second choice, which is oftentimes of great value.



It seems to me, therefore, that the delegate convention ought to be preserved, and that the law should arrange for the selection of delegates. If any candidate, whether for a city, county, state or congressional office, receives a majority of the votes cast in the territory which fills the office, the delegates chosen would but have no other duty but to record the decision of the voters. If, however, no candidate receives a majority of the votes cast by his party, then the delegates chosen, with the instructions given them by the vote, should work out in the convention their second choice.

These suggestions are intended as a mere outline of the views I have formed in looking into the matter, and I lay them before you, not so much as a recommendation for any particular law, as a way of indicating to you my conviction that some adequate legislation is necessary.

When the election committees of the senate and house canvassed the primary bills wide differences in sentiment were quickly apparent. A substantial portion favored the direct voting method in making nominations popularized in Wisconsin; another large group demanded retention of political conventions for making final nominations favored by Governor Cummins; while a third element was against any such law, but some of them grudgingly indicated willingness to vote for a bill if it were made optional by counties, which had been the method employed in defeating the bill proposed two years previous. This was vigorously condemned by Senator Crossley, who voiced the common sentiment of all who favored enactment of a state-wide law, when he said:

Such a provision would emasculate the bill. An optional clause would rob the law of its chief source of strength and prevent the wholesale reforms contemplated. It was this self-same option clause that defeated the bill two years ago.

Actively lined up against any bill were the Democrats, and Rep. Will Whiting expressed their attitude in saying:

This bill is directly in opposition to the dominating sentiment of the legislature, which proposes to pass a biennial election amendment to the constitution in order to reduce the frequency and expense of elections. It would increase the expense and trouble to candidates and voters twofold without bringing any corresponding benefits.

A prominent Iowa Democrat, Editor G. L. Caswell, of Denison, later a member of the senate, was quoted as saying:

The proposed measures are the most infamous laws ever suggested for imposition by a majority upon a minority party. The clause which requires that the primary of each party be held on the same day, and that it be a joint affair, is intended to defeat the last chance of the Democratic party in Iowa to elevate its head above the surface of the sea of discontent. The one great hope of a Democrat rests in his ability to wait until the Republican conventions have been held and follow them with a convention that will nominate a ticket with the especial object of taking advantage of the weak spots in the enemy and nominating an able and popular Democrat for each office which the Republicans propose to fill with weak timber. Another feature especially objectionable is to require the voter to register his party affiliation at the preceding election in order to be entitled to vote at the succeeding primary.

These and other excerpts from the record disclose the divergent and conflicting views of prominent individuals who seriously considered and discussed the provisions of the bills introduced upon this subject.

#### PARTY LINES DISREGARDED

After all, perhaps the most valid objection urged to the adoption of a primary election system in Iowa was based upon a fear that voters from an opposing party, or the so-called independent voter not a member of any party in good faith, would find a means of voting in the primary of the leading party, with purpose of influencing or determining its nominations.

In the old days of holding caucuses members of the opposing party and independent voters rarely sought to participate in those of their opponents. It would not have been tolerated. However, in the operation of the voluntary county primary rules, under which the polls for voting upon nominations and delegates were kept open several hours, it became difficult to exclude any who might boldly declare their membership in the dominant party, the nominees of which were assured of election in the fall. This practice had become very distasteful to Re-

publicans, and many feared that it would continue in any legalized primary. Of course there was total lack of propriety in such an act. Individuals might just as properly expect to walk into a meeting of the membership of a church or other organization to which they did not belong and seek to control action had in the selection of officers or in naming a new minister for the flock.

So, there was real doubt in some quarters as to the merit and expediency of providing another popular election that might easily prove more or less open to voters other than of the political party the nominees of which they would seek to determine. Of course those who vigorously fought the adoption of such legislation emphasized every possible objection advanced. This one was most difficult to meet by the advocates of a legalized primary law. It spurred them to provide in the proposed act every possible safeguard to prevent the crossing of party lines by voters, and the law first enacted was as rigid in this respect as legislative ingenuity could devise. It was even required in House File No. 1 that at the previous general election a declaration of party affiliation must be made by every voter, which would govern his right to receive a primary election ballot of the party of his choice for selection of delegates and nomination of candidates.

But, unfortunately, those early rigid requirements safeguarding the party system were broken down in the direct voting law, particularly in the registration feature, substituting a provision that voters could change party affiliations any time prior to a ten-day dead line before a primary election day, which is practically an open invitation for voters to invade strict party lines and participate in making the nominations of a political party of which they are actually not members in good faith. This situation has gone far in causing general distrust of primary election results and discredits a system that has merit and originally designed to reform disreputable party practices which obtained in the old party caucus days.



The irregular practices prevailing in the Des Moines city election held during the session of the legislature so impressed the members that no argument was necessary to prove the need locally, although perhaps not much worse than employed in some other cities of the state. Finally rather than adjourn without any legislation on the subject, a beginning was made by enacting House File No. 1, providing for the delegate system, with amendments making it applicable only to counties having a population of 75,000 or more. Senator E. L. Hogue expressed the belief of many when he said:

It is very plain that Des Moines needs a primary election bill. It is doubtful if many other localities need it. Certainly less than half the counties want it. I believe we should pass a bill especially applicable to Des Moines. I also believe that there should be some bill passed right away that would make it a crime to vote fraudulently in the forthcoming congressional primary to be held in this city.

#### LAW ENACTED APPLYING TO POLK COUNTY

Understanding the futility of pressing further at this session, for a state-wide act, and earnestly desiring improvement of conditions in my own county, I supported this amendment of my bill by the committee on elections, of which I was a member, and secured adoption of the committee's report in the house, making the bill applicable to counties of 75,000 or more in population. On passage no votes were recorded against the measure. In the senate similar action was taken, Senator Lester W. Lewis, chairman of the committee on elections having in charge the bill, which was passed late in the session without opposing votes. Governor Cummins signed the bill, and this law was operative in Polk county until the state-wide law superseded it in 1907, the latter enactment being by the Thirty-second General Assembly.

In the intervening period there was renewed agitation for a primary law applying to all counties. By the terms of the biennial election amendment no election was held in 1905, and in the session of the Thirty-first General As-

sembly convened in January, 1906, the membership was composed almost entirely of those of the previous session. In his biennial message to this legislature Governor Cummins' recommendations were varied, the principal reforms urged being pure food legislation, restrictive insurance laws, reduced railroad fares, abolishment of railroad passes, enforcement of state liquor laws, adoption of indeterminate sentences for criminals, restriction of child labor, publication of roster of Iowa soldiers in the wars, erection of a state archives building in connection with the new state historical building, biennial elections and a statewide primary election law.

#### CUMMINS CHANGED TO DIRECT PRIMARY

Governor Cummins now said that he had reached the conclusion that the state "must either accept the primary system, in so far as it is applied, with direct nominations, as a whole, or the convention system as a whole." Therefore, he declared "for the primary system of nominations by plurality, rather than nominations by conventions." Then he added: "If there were any practical plan through which the voters could work out their second choice, I would gladly endorse it." Proceeding upon this basis he made a strong argument for the enactment of a direct primary law providing "that the person receiving the highest number of votes for any particular office should be the nominee of the party for such office."

Legislators compared this utterance with his statement two years previous, that he regarded a nomination by a plurality instead of by a majority "a weakness." Many considered his earlier judgement the more accurate, as it touched the vital weakness of direct nominations of candidates by only a plurality of the votes cast at a primary. One legislator pointed out that this country uses a delegate system in electing its presidents, the voters choosing state electors. These assemble in convention in the states and vote for president, clearly demonstrating the official process of our form of government as a parliamentary representative republic.

Two primary bills with state-wide application were introduced, Senate File 2, by Crossley, complying in a general way in its provisions with the governor's new recommendations, and House File No. 372, by Flenniken, being the recommendation of the house committee on elections of which he was chairman, which provided for primaries and conventions, similar to the English bill of 1904, then finally made applicable to Polk county only. The Flenniken bill contained a radical departure in that it proposed to except from voting in the primary upon candidates for the offices of state superintendent of public instruction, attorney general, clerk of the supreme court, reporter of the supreme court, judge of the supreme court, electors for president and vice president of the United States and judges of the district court. Both bills were defeated before the session closed.

The senate bill was amended in committee and recommended for passage. It again was amended on the floor, considered at length and defeated by a vote of 21 for and 29 against. The house bill suffered like experience being lost on passage by a vote of 45 for and 51 against. Indicative of the general attitude of groups in the assembly the Democrats and most of the stand-pat faction of the Republicans opposed the Crossley bill, and the progressive Republicans largely favored its passage. However, one of the strong progressives, Senator W. C. Hayward, of Scott county, afterwards secretary of state, filed an explanation of his vote against the bill as follows:

Mr. President: I desire to explain my vote as follows—I am in sympathy with the spirit and purpose of this bill. I heartily endorse the idea permitting all voters to express their choice in the selection of candidates for public position. In so far as this bill will effect such purpose, if it shall become a law, it has my approval. In some respects I deem it seriously defective. I do not endorse its plan of plurality nominations. . . .

In the house, Representative Thomas Geneva, of Keokuk county, a Democrat, felt that he should explain why he voted for the Flenniken bill. His explanation read:

Mr. Speaker: I am not fully decided as to the merits of this bill as a whole, House File No. 372. I have not had time to look



into its entire merits, but there are two points in the bill I am decided on; one is the manner provided to select United States senators, and the other is the bringing the choice of candidates to the individual voter; therefore I vote yea.

Thus, along with his primary law proposals, many of the reforms which Governor Cummins had urged were yet only recommendations. Apparently the sentiment favoring them was stronger back in the counties of the state than in the legislature which had just adjourned. Cummins determined to chance the possibility of re-election for a third time upon this issue. A spirited campaign took place the summer and fall of 1906, which resulted in his re-election for a third term. The canvass in the counties and the rivalry between the opposing factions in the Republican party at its state convention were heated and bitter. The success of the progressive movement in Iowa culminated that year in the election of a general assembly with the greater number of its members in sympathy with the governor's leadership for reform legislation.

#### BOTH PARTIES FAVORED PRIMARY LAW

In the state party platforms in 1906 of both Republicans and Democrats, appeared endorsements of legislation for state-wide primaries. The Republican plank read:

The Republican party has always stood for the enlarged participation of the individual voter in public affairs. To this end we pledge ourselves and our party in this state to the enactment of a wise and judicious primary election law which will provide for the nomination by direct vote of all candidates for office to be filled at the general election and an expression of party preference in the selection of United States Senators.

The Democratic plank pledged that party to enactment of a primary law without defining any particular plan:

We are in favor of a primary law giving to the people the selection as well as the election of all candidates from senators down, so drawn as to protect all parties. We favor the election of United States senators by direct vote of the people.

When the Thirty-second General Assembly convened in January, 1907, another vigorous biennial message from

Governor Cummins reaffirmed views previously expressed and recommendations made, but not fully covered by legislation secured in the first two sessions of his administration. To these were added as worthy of consideration the subjects—contributions by corporations for political purposes, lobbying and the lobbyists, further insurance regulations, express and telephone assessments, freight rates, hours of continuous rail labor, enlargement of scope of pure food act and voting machines. The renewed plea for establishing a system for the nomination of candidates for elective offices in Iowa contained practically the same features urged at the prior session. In part he said:

The experience of each year, as it passes, emphasizes the imperative need of a thorough-going reform in the methods of nominating candidates. We have long tried the plan of unregulated caucuses and conventions, and the defects discovered in this system have been so manifest that there is a universal demand for something better. I therefore earnestly recommend, as I have recommended before, an efficient primary election law.

I recognize that there are differences of opinion with respect not only to the scope but the details of such a law, but I sincerely hope that these differences may not be so broad or so fundamental that they cannot be reconciled. It should embrace the nominations of candidates for all elective offices, whether state, county, municipal or district, including the office of senator of the United States . . . by a primary vote, and should not remit nominations, under any circumstances, to a convention, except in the event of a tie.

I know that there are some thoughtful students of the subject who believe that a nomination by a mere plurality is unwise, and I grant that there may be instances in which the concurrence of a majority would be better, but to require a majority in all cases would be to make no substantial change in the present system, for conventions would still be compelled to nominate party candidates. If, therefore, we are to advance at all, it seems to me that we must adopt nominations by pluralities.

#### THIRTY-FIVE PER CENT RULE A COMPROMISE

Two bills for primary elections were introduced in the senate early in the 1907 session, Senate File No. 2 by Peterson, and Senate File No. 3 by Crossley, both of which were indefinitely postponed upon recommendation

of the committee on elections. Senate File No. 280, a committee bill on the subject, was later reported for passage by the committee chairman, Senator A. C. Wilson, of Fayette county. After prolonged discussion and amendment this bill, which most resembled the Crossley bill in its general provisions, passed the senate in the absence of that senator, who was quarantined because of diphtheria in his family, the vote being 46 for and 2 against. This degree of unanimity was finally attained after the rejection of a demand that "a fifty per cent clause" be incorporated in the bill, requiring that candidates not receiving fifty per cent of the votes cast in the primary be voted upon subsequently in a party convention. Finally this provision was adopted on the thirty-five per cent basis, as a compromise. This arbitrary percentage rule was unsatisfactory to both sides of the debate, but the enactment of a primary law depended upon its acceptance by the bill's sponsors. Through its operation one governor secured his place upon the state ticket, although he had received less votes in the primary than his competitor, but neither having thirty-five per cent of the total votes cast in the state.

Eleven Democratic senators filed a joint explanation of their votes in favor of the bill stating:

The following senators voting aye upon Senate File No. 280, known as the "Primary Election Bill," wish to explain their vote by saying that while they are not satisfied with the present bill in many particulars, it not being such a bill as they would have themselves prepared in the interest of the people of the state of Iowa, and in fairness to all political parties, but in view of the fact that there seems to be a general demand for a primary law, and for the reason that the Democratic party has declared in its convention in favor of a primary law, and for the further reason that the Democratic party is in favor of keeping all departments of the government as close to the people as possible, and that the proposed bill seems to be the best obtainable at the present time, we have voted for same.

One other Democratic senator from Scott county filed an individual explanation as follows:



Mr. President: I vote "no" on this bill for the reason that its main provisions are in direct violation of democratic principles and agrees with the Democratic idea of a primary only in name.

J. A. DeArmand.

In the house many and varied amendment were proposed, some friendly and corrective, while others were hostile. A few were adopted, which the senate refused to consider, and the bill went to a conference committee. The report of this committee was conciliatory in character and confined largely to presenting corrective amendments. In the house Representative John H. Darrah, of Lucas county, chairman of the elections committee, secured the adoption of the conference report and on passage the bill received 90 votes, with none against. In the senate a similar procedure obtained with Senator Crossley, chairman of the conference committee, submitting its report with the corrective amendments recommended which was adopted by a vote of 41 for and no nays on the final ballot had upon the bill.

The *History of the People of Iowa* speaks of the extraordinary course of this legislation in the assembly before its provisions were determined upon in final conference and balloting in both houses, saying:

The bill was subjected to hard usage from the time it was introduced until it was passed. It was amended piecemeal in both houses, and was finally referred to a conference committee. A number of senators and representatives explained their votes on the measure as derived not from a complete sense of satisfaction over the bill as an ideal measure, but because it was the best obtainable under the circumstances.

From the time of its enactment this primary law has weathered all suggestions and demands for repeal, and many attempts to amend it have failed, although some amendments have been adopted. In the beginning the law contained a restrictive provision designed to prevent the convention nomination of other than the candidates who participated in the primary. This provision in the statute of 1904 read: "and no person whose name shall not have appeared upon the primary ticket of his party in the primary election shall be entitled to receive votes

in said county convention." In the 1907 statute there was included no such limitation; but in the codification of the law in 1924 a minimum percentage vote restriction was provided, reading: "no candidate whose name is not printed upon on the official ballot who receives less than ten per cent of the whole number of votes cast in the county for governor on the party ticket with which he affiliates, at the last general election, shall be declared to have been nominated to any such office." The same percentage applies also to state and district nominations, and the provision remains in the code of 1946. But the provision restricting convention nominations to candidates voted upon in the primary has not been restored.

By far the greater number of amendments since adopted have been of a corrective nature, many of which clarified language and simplified procedure. Rotation of names upon the ballot in various precincts and counties balanced the advantage of a place at the top of the party listing of candidates for particular offices.

Perhaps the most discussed provision of the law is that relating to changing of party affiliation. The original law enacted in 1904 placed a limitation of a ten-day period between thirty and forty days prior to date of holding the primary, within which limit a voter could change his party designation. This was thought to be far enough in advance of the voting to preclude wholesale changes which might be made in the heat of a primary campaign, with the object of directly influencing results as to individual candidates. The act of 1907, containing many compromise provisions, reduced this to ten days prior to the date of the primary election. It so remained in the 1924 codification, and the provision still is unchanged, though subjected to many harsh comments.

#### GOVERNOR CLARKE ASKED REPEAL

The repeal that Governor Clarke in 1917 recommended to the legislature was not an entire abandonment of the local primary, for that was just where he would confine its operations. Clarke was the only governor to recom-

mend repeal, and upholding his views said first, that the presidential primary was a "farce," and with this the Thirty-seventh General Assembly agreed and repealed outright the Iowa presidential preference law. Then he said:

The nomination of candidates for public office in this state by a primary election has been in vogue for a period of ten years—a long enough time to give its efficiency and adaptability to the purpose designed by its advocates a reasonable test. Results from the beginning have not been entirely satisfactory. Changes from time to time have been made in the hope of making it an approved instrument of popular government. No improvement has been perceived.

The results of the effort to give the people more direct and greater participation in matters of government went to prove that such a large state as Iowa could not resolve itself into a "pure democracy" such as a New England town meeting. Under the new primary law the candidates "select themselves." The question of fitness is not discussed and passed upon by anybody. . . . The voter simply ratifies the candidate's selection of himself . . . The primary tends to exclude the best, most unselfish and capable men. The rule is that they will not undergo the methods which seem necessary to success—the meaningless circulation of petitions, the harassing and long drawn out primary campaign within the party, tending to disrupt and weaken the party, a great evil where government must proceed by parties, the enormous and disgraceful expenditure of money, all tending to corrupt morals, lower and contaminate the political and public ideals of youth . . . then must follow the campaign for the general election with all of the convulsion and disappointments and bitterness of the primary campaigns carried over into it. . .

I should like to see Iowa assume leadership by a true representative government. This legislature should provide a law for a primary in the township or precinct where all the voters can have a direct vote, at which all candidates for township or precinct offices could be nominated and, if deemed best, county officers. At this primary delegates to the county convention and alternates should be elected . . . the voter having once voted at a primary election and thus fixed his party affiliation he could not vote in any other, unless thirty days prior he had filed a declaration, under oath, of change of party affiliation. . . The law should also provide for election of delegates and alternates who shall be regarded as officers, their tenure being from the time of their election until the next election of delegates, so that in event of need, any convention could be reassembled on notice and another campaign and expense avoided. Under this kind



of legalized procedure it is hard to see how there could be any of the old time manipulations, sharp practices and packing of caucuses and conventions.

No bills were introduced, nor action taken upon Governor Clarke's recommendations, but a great deal of discussion over the state ensued during the next few years, much caustic criticism of the law resulting. It was in 1920 when the direct vote failed to nominate a Republican candidate for governor and four other state offices, none of the candidates receiving thirty-five per cent of the votes cast for those offices. In the same year both parties mentioned the operation of the law in platform utterances. The Republican state convention resolutions said in criticism:

Actual experience has demonstrated that great evils have arisen in the use of the present primary law of this state. It has been given a fair trial and found to be unwieldly, expensive and unsatisfactory. We favor its repeal, and the substitution therefor of such primary legislation as will guarantee to all voters the full right to take part and be heard in the councils of their party, and will provide for them an opportunity for free and fair expression as to both candidates and measures.

The Democratic state platform the same year assumed an opposite position in favor of adherence to the primary system. It said:

We believe the primary law should be amended to remove the existing cumbersome provisions and so as to furnish a practical method for obtaining the expressed will of the individual voter of each political party and that legislative restraints upon the prevailing corrupt practices be enacted. We believe that to take from the people the privilege of selecting candidates for public offices by a well regulated primary system is a violation of the true principles of our government.

Both platform expressions were a bit muddled and resulted in no action other than possibly the simplified codification of the law in 1924, which altered no essential feature of the direct voting method. Likewise the law survived two subsequent upheavals in party control of the state government, indicating that the principle is securely imbedded in Iowa election procedure.

One Iowan whose voice was strong and purposeful in comment was W. R. Boyd, a thoughtful man, then editor of the *Cedar Rapids Republican*, and since 1909 chairman of the finance committee of the state board of education. He doubted the wisdom and utility of a primary law in our representative form of government, although abhorring the evils of unregulated methods in making party nominations. And he has not altered the convictions expressed forty years ago. In recent years he complimented an article in *THE ANNALS* written by Ora Williams, entitled, "An Era of Open Debate in Iowa", adding:

I enjoyed it immensely! We did have a wonderful lot of men in Iowa, and continued to have them until the primary came along. I have always taken some pride in the fact that I fought that iniquity from the start . . . We have had it now for thirty-seven years. If one were to make a list of the public men, from that date forward, who were prominent in the public life of Iowa, and compare it with a list of the public men who since have figured in Iowa and national affairs from Iowa, what do you think the result would be? And what is true of Iowa is true of almost every other state in the Union.

There are a few states that have the primary which by-pass it. That is to say, they hold conventions and decide who is to run in the primary, and their recommendations or mandates are generally obeyed. That mitigates the evils of the system somewhat.

We know the evils of the old system—the chief one of which was the packed caucus; also the pass system. The pass system was abolished by law, and even the exchange of transportation for advertising by newspapers was abolished by orders of the interstate commerce commission.

The packed caucus evil could have been done away with by a brief statute legalizing the caucus and providing rules as to how and when it should be held and for the election of delegates to county, congressional and judicial conventions, by the Australian ballot; but, as democracies so often do, we burned down the house to get a few rats, and took the longest, indirect step away from representative government to pure democracy that was ever taken until the present administration came into power.

It is easy to discern resemblance in the character of the legalized nomination procedure favored by both Mr.

Boyd and Governor Clarke to the provisions of the first Iowa primary law that was made applicable to only Polk county.

Henry L. Stimson recalls in his short summary of his public life, the obstacles met by young Republicans in New York early in his political career. This is revealed in his biographical prelude to copious quotations from his war-time experiences recited in "On Active Service", Harper & Bros., to appear this month, anticipated in part in the January *Ladies Home Journal*, p. 86, col. 3. Mr. Stimson frankly acknowledges that the Republican organization in its ideals and practices in 1897 "was far below in character that which the younger group believed it should be." There was recognition of the imperfections of the primaries, so-called, with "no basis in law," created as they were by party organizations, and open to fraudulent use by reason of their defectiveness. Enactment of a primary election law in 1898, and its subsequent operation, is credited by him as making more possible than before effective participation in nominations by honest voters, and putting "an end to flagrant methods of previous years."

#### REPUBLICAN FACTIONS A FACTOR

The division of the Republican party into factions fifty years ago and the consequent struggle for supremacy early in the present century left its mark upon the primary election law. Then as perhaps always, the ambitions of men were wrapped up in the processes and progress of legislation, interfering often with calm consideration of methods and measures. The swing from majority action in making party nominations to the adoption of the plurality system was only partially successful, which many deemed fortunate in that it prevented candidates with low total vote securing nomination without general party approval. The thirty-five per cent requirement was a compromise limitation that Senators Saunders, Gilliland and Dunham insisted upon, and only through its acceptance was the enactment of the law made possible.



The moving forward of the limitation for filing of declaration of changes in party affiliation to ten days prior to the date of the primary constituted the greatest backward step. During most of the time since enactment of the law in the greater number of Iowa counties Republican majorities have prevailed. With spirited primary contests in the dominant party, and little prospects of the minority party electing their candidates, many such voters are prevailed upon by individual Republican candidates to qualify and vote for them. This practice has gradually become more prevalent, bearing out the criticism of opponents of the system. An example at this particular time, is the openly avowed intention of a formidable group from the Iowa industrial world of urging its voters to enter the primary election this year as members of one political party, regardless of their previous individual party alignments, to accomplish selfish purposes. This points with unerring accuracy to the weakness of the reconstructed registration feature of the Iowa primary election law, which as originally drawn would prevent just such excursions as well as making more difficult like depredations of those without party relations.

The independent thinker and voter has an important place and one of influence in public affairs. His attitude may be controlling in many elections, although himself not controlled in any way. But he is clearly out of place when seeking to direct the affairs of established political parties, usually finding himself only upon the fringe of any party, within which he has no inherent rights, as he never assumes responsibility for its announced principles nor the candidates selected. This element never had standing in a party convention, a determining factor in the conclusions of those who were reluctant to follow Senator Crossley's lead seeking the enactment of a direct primary law.

The attempts to break down definite party lines in nomination procedure has now reached definite form in several states. Particularly is this true where candi-

dates of one party may have their names appear upon either or both leading party ballots. This cross-filing permitted by the California law enabled Governor Warren to secure a renomination upon both the Republican and the Democratic tickets. His subsequent election thus became a certainty, and his Republican supporters felt a bit discomfited that their party leader had resorted to utilization of this hybrid statute to insure a personal victory, regardless of the political fortunes of his companions upon the ticket of his own party. The procedure is considered by conscientious party men as disorganizing in practice and productive of haphazard results.

#### PARTY LINES BROKEN DOWN

Twelve years ago the state of Washington modified its direct primary law, adopting a "blanket" form of ballot upon which candidates for all parties appear. This plan breaks down party lines completely, as no party affiliation declaration is required and the voter may choose candidates upon any or all party tickets—being free to vote for a candidate upon one party ticket for a single office, and for other candidates for different offices upon other tickets. It is a mongrel affair, permitting cross-over voting, and consequent nomination of party tickets by participation of those not members of an individual party, making party affiliation a complete farce. It has been termed "a hybrid form that defies classification;" and described as "the political millennium . . . for the independent voter and the party maverick." In operation it is credited with causing "complete abandonment of any real distinction between the parties."

In southern states the pre-election or "run off" primary is employed by the Democratic party in making its nominations, as that section is largely a one-party area in the United States. It was designed primarily to exclude the negro voters from participation in selection

of the party nominees, but is made useless for that purpose by the U. S. supreme court decision, and is being threatened by the "civil liberties" movement, which is gaining a foot-hold in the south.

In Illinois the primary law is charged with misfiring because of being liberalized in operation permitting Chicago municipal influences in reality to pick the candidates from whom the voters may choose their nominees. Thus is defeated the very purpose of the primary law, to enable the voters to make the selection of party candidates.

### SURVIVING LEGISLATORS

The greater number of those serving in the general assemblies just after the turn of the century, who engaged in the arduous work of fashioning the primary proposals to the needs of Iowa voters, have long ago passed to their Eternal Reward. Only a small group of those who then were younger yet remain. Of the election committee members of the Thirty-second General Assembly grouped about Governor Cummins when he signed the law in 1907, shown herein as a frontis piece, who are now living, are Representatives John H. Darrah, L. D. Teter, Nels J. Lee, Senators Jas J. Crossley and Dan W. Turner. All these were among the original supporters of the movement that gave to Iowa the primary election law. In common with the writer they had no motives other than the public good in advocating and helping secure this reform, for it was vitally needed. It has been a satisfaction to have been in a position to assist in crystalizing the action to inaugurate in Iowa a reform in political practices, though always regretting that party conventions were shorn of almost all functions, so far at least as nominations of candidates upon party tickets are concerned. Unfortunately, also, in plural party primaries too many people confuse the rights enjoyed with those of the popular election where all are entitled to vote.

## A SCRAP OF AMERICANA

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By ROSA SCHREURS JENNINGS\*

The chest stood ready—wide pine plank, painted black, and lettered in white, "Elizabeth Menkens, Cedar Falls, Black Hawk county, Iowa, Nord Amerika". It was beautifully made by Cord Hendrick Menkens, master cabinet maker of Enschede, province of Overijssel, Holland; and Mynheer Menkens stood at its side, restraining his tears with difficulty, for Betje had been his main stay since her mother had died ten years before, leaving two children younger and two sons older than Betje.

Not only loneliness, but fear for his daughter's future security worried Mynheer. To go to Amerika, to marry Gerrit Schreurs, who had preceded her there by two years, was very much of a risk. To begin with, Gerrit was not a craftsman; he had been a weaver, a factory hand, who bitterly hated his bondage. Gerrit spent too much time reading, was often fined when caught reading at work. How could anyone get ahead in Amerika, if he spent all his time reading? But Betje fortified by that exquisite written declaration of love now resting in her small, beaded, sterling-finished bag, had no fears; yet, it was hard to leave the comforts of her father's home, busy though she had always been—too busy ever to enjoy the playtime of childhood and youth.

Betje arrived in Cedar Falls, Black Hawk county, Iowa, North Amerika, in the blackness of night, and was conveyed by hack from the Burlington depot to George Walters' home nearby where motherly, German-born Frau Walters called out, "Is that you, Bette?" and Betje knew she was close to meeting her beloved once again. What mattered the three-weeks-long journey across the ocean, and the slow train ride from New York City? What mattered the vermin, and the strong, fishy odor of sea water in her clothes? (She had traveled second

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\*Mrs. Jennings, a native Iowan, resides in Cincinnati, Ohio, and in recent years paid a visit to familiar environs in Blackhawk and Butler counties.—Editor.



class, too.) What mattered the mud and the pigs and the cows in the streets of Cedar Falls? Gerrit came in from the country ten miles out the next day.

But Gerrit wasn't Gerrit any more; his employer, also from Holland ten years before, had promptly renamed him George. "Gerrit", said he, "is no good in Amerika". "You are now George". And George he always was to the outside world, but never would Betje call him George; to us in this intimate story he remains Gerrit, too.

Betje wouldn't consent to an immediate marriage—if she was to live in Amerika she wanted to know American cooking and American house-wifery. So Bette, as Gerrit had always called her, took service with the Rev. Henry Kleinsorge, lately widowed and left with two young children. Mr. Kleinsorge was pastor of the *Deutsche Evangelische Kirche* in Cedar Falls; and Bette and Gerrit were soon enrolled as members of that congregation. There followed a year of adjustment to American ways, yet German in outlook, for at that time services of the Evangelical church were in German only.

German had a fascination for both Bette and Gerrit—Bette's father had been born in Germany and learned his trade there. His years as journeyman were spent in wandering over Europe; then he settled in Enschede, married a girl of that town, and reared his family in the Dutch tradition. Yet in the delirium of illness his ravings were in German, as were many of the humorous adages he used to quote to meet the exigencies of shop and home. Bette and Gerrit learned to speak and love German in the Kleinsorge home.

And then Gerrit went to Butler county, Iowa, where some of his compatriots had settled. He boarded with a Horace Hovey family, and attended the New Albion district rural school for one winter. Previously he had gone to public school a short while in Cedar Falls, where Professor Arey proved an interested and helpful friend. The twenty-four-year-old young man had spent one-half day in the third grade; similarly he went through fourth

and fifth grades, and had stayed some time in the sixth grade. In the New Albion school Gerrit met the same helpfulness from the man teacher in charge there. I regret his name has been lost to us. It is interesting to look over the books Gerrit used, interspersed with his Dutch explanation and Dutch synonyms. The dictionary he had bought shortly after coming to America, out of his oh, so slender funds—four dollars on arriving in New York, with transportation paid to Cedar Falls, to be exact. Memory recalls two eager children standing at Gerrit's knee while he read in ringing tones from Saunders Fourth Reader;

It is your country's flag, my boy  
And proudly greets the light  
O'er ocean's wave, in foreign climes,  
A symbol of our might.

Ah! how he loved the American flag! No outsider need urge him to take out intention-of-citizenship papers; his own inner zeal had attended to that along with the purchase of the English dictionary. Bette never mastered spoken English, though she read avidly, English, German, and Dutch. Her spoken English always remained a source of embarrassment to Gerrit who very soon spoke it influentially, without accent. Bette did well with the German; her Evangelical friends spoke German, and she wasn't deeply concerned about the English—was it a sub-conscious reaction to the different position she held from that of mistress of her father's household?

On several Saturdays Gerrit made the long across-country trek from Butler county to see Bette. Sometimes he had a chance to ride with a farmer who was selling or buying goods in Cedar Falls, at that time the nearest good trading place; at other times he went horesback, snow and zero weather notwithstanding.

The Rev. Kleinsorge remarried, and Bette took service with the Clarence Knapp family where she hoped to gain a better knowledge of American housekeeping, which she did. Mrs. Knapp had been surprised that

Bette preferred to cut the cost of a laundress from her weekly pay check of \$2.50; she had hurt Bette when Bette found a few coins left around, to test the new maid's honesty. Yet the Knapps were a delightful family—the children were respectful and obedient; Mr. Knapp, as are most American men, was helpful in the home and with the children; Mrs. Knapp was democratic and courteous in her relations with her help. At lunch when the women and children were alone, they ate together in the American "hired girl" tradition; when the father was present, the family preferred to be alone, and Bette felt no hurt at that.

#### ENTERED THEIR OWN HOME

Then Bette's health gave way; she boarded with the George Walters family for awhile, and Gerrit now insisted on marriage. Mrs. Walters provided a simple wedding, and that day, February 18, 1876, they entered their own home on Normal, now College street, not far from the beautiful Overman grounds, now the site of Sartori hospital. The evergreens clipped in many conventional designs later fascinated their children. A mile or so south on Normal street was the nucleus of the present Iowa State Teachers college, then the Iowa State Normal school, two buildings taken over from the Iowa State Soldiers' Orphans Home, when that institution was moved to Davenport, Iowa, a few years before. The new home, costing \$600, consisted of a small house and smaller barn, standing in a half-block of land; and it was mortgage free. That debt-free home was a blessing, indeed, during the hard times that followed in the late 70's.

During the winter of 1876-7 Gerrit and Abram Wild, a German veteran of the Franco-German war of 1871, neighbor now in the other half of the block, chopped wood in the Big Woods ten miles out of Cedar Falls. They walked to and from work once a week, and carried their week's supply of food with them. Goodyear had not yet discovered the art of making rubber, nor had

the ugly, but oh-so-warm felt boot been invented. Keeping their feet frost-free was their greatest problem, not entirely solved, and tender feet the rest of their lives were to remind them of their winter in the Big Woods. The wives shared their few household appliances—the one using the flat irons last one week used them first the next week.

Those must have been long days, but Bette filled them with the making of two woolen quilts with pieces supplied from some of the best homes in Cedar Falls by the same laundress who had done Mrs. Knapp's washing. This woman was not forced by necessity to wash for others, and had a sort of economic equality with her employers who shared quilting pieces with her. So Bette made two quilts, one for herself and one for her friend. I stand again, in memory, under the clothes line in house-cleaning time—the quilt was too precious to use everyday, but was annually aired and kept free of moths—and see Bette pointing out pieces, as belonging to Mrs. So-and-so, and Mrs. So-and-so, when some of those donors were sleeping under Nature's green quilt on the beautiful hillside once belonging to Daniel Wild. At one time Gerrit worked in a brick kiln which Mr. Wild operated in that pasture. Indians often came to the little house and went away satisfied if they were given food. They never frightened Bette who was generous and completely without fear. All her life she would invite a hard-looking tramp in to eat at her kitchen table. In later years when they had moved to a farm, rural Sunday school missionaries made her home their regular stopping place; a negro slated to lecture in the country school house was given entertainment, food, and bed in that home.

Came March 1877 and as a last gesture winter sent one of the biggest blizzards of the year—fields, hills, fences all under great drifts of snow. Bette's "time" came that month; Gerrit stayed home. From Tuesday until Saturday, Bette was in labor. There was no way to help her, said her doctor; nature must take its course.



Her daughter was born alive. Mrs. Wild did the washing and gave such other help as was needed. Bette not long after returned the favor, and for the same reason.

During the summer of 1878 Gerrit worked on the railroad right-of-way as section hand. The men worked in teams, and Gerrit's Dutch wasn't equal to his teammate's Irish "diplomacy". Gerrit carried the brunt of the heavy work and trudged home at night dead tired. One hot August evening he came home to find that the expense of a doctor's visit had been added to that week's cost of living, and he had been to blame. He had cut grass in the early morning for the cow they had bought at great personal sacrifice to provide an ample supply of fresh milk for the baby, and had left the sharp grass sickle lying with the cut grass in a basket. The little one had toddled out unnoticed, in bare feet, seized the grass hook, and dropped it, nearly severing a big toe.

The next season a herdsman tended the cow along with a number of others, taking her to open pasture and bringing her home. One night he brought Gerrit's cow home swelled with bloat—she had got into a clover field, said the herdsman, and he was afraid she was "caput". She was caput; the veterinarian could not save her.

#### ANOTHER CHILD IN THE HOME

In November their second child was born. Gerrit, awakened by Bette, hastily built a fire, then ran to Wild's for help. When he got back, there stood Bette before the fire holding their eleven-pound son in her arms. Well, the child was there—why call the doctor? So no doctor was called, and they congratulated themselves on the ease of the baby's birth and the saving of a doctor's bill, not knowing how dearly Bette would pay for it in years to come.

The months that followed were really hard—pork was around a dollar per hundred pounds, but they didn't have money to buy a hog to kill. Gerrit took any job avail-

able—church janitor, hod-carrier, driver for Townsend and Merrill's lumber yard; at last came steady employment as driver for G. N. Miner's flour and feed mill.

Normal street was a long way from the mill in those days of slow transportation, and Gerrit moved his family down town into one of Mr. Miner's houses on Fourth street. John Lemmer, Miner's chief miller, came to live next door. Not long after, Abram Wild established Wild's lumber yard, and his family moved into that area. On Mr. Miner's large lot Gerrit maintained a garden; there were several apple trees and currant bushes; in the rear were a barn and chicken yard where Gerrit cared for livestock belonging to his boss—the large delivery horses, chickens, several pigs, and a cow. Cobs and cockle seed from the mill, (later cockle was incorporated into the "shorts") though hard on grates, helped out for fuel. Thus with fuel, vegetables, fresh and home-canned fruit, a share of the eggs, milk and meat, three barrels of apples and a keg of sorghum put down cellar for winter, the family was well provided for, though the income in money was only about forty dollars a month.

A third child was born in 1883; they bought a hard-coal base burner, a sewing machine, an ingrain "parlor" carpet, a hand-operated washing machine to save the cost of the weekly laundress they were employing. Mr. Miner gave the daughter a "Western Cottage" reed organ, and Mr. Lemmer took time once a week out of his busy life to help her get started with her music. Later, Theodore Rude came to the house to give her lessons. And how that talented man must have suffered to hear a child with indifferent musical talent pound out those weekly music lessons. Yet his face indicated no trace of impatience; even genius has to eat! The *Chicago Daily News*, *Youth's Companion*, *Cedar Falls Gazette*, *Evangelische Botschafter* provided reading matter; also there were books from the small public library located over Rodenbach's grocery store, of which George Flackenecker was custodian and librarian. Gerrit had hated

the wooden shoes he wore as a child and his passion to keep good leather shoes on his children's feet was almost an obsession.

Came a black-bordered letter from Holland one day in 1888—Mynheer Mendens was dead; but his Betje occupied a decent place in American life.

My "simple annals of the poor" can be paralleled in thousands of mid-western families and homes. America—God bless her, and guide her that she may continue to promote the general welfare and secure the blessings of liberty to ourselves and our posterity.

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## GOVERNOR LUCAS FLAYED SINS

By JACOB E. REIZENSTEIN

"Wets" and "Drys" have clashed in Iowa every year, every decade, and every generation throughout the last 107 years. Territorial Iowa split as to the advisability of "total abstinence," "moderate use," "use and abuse," "licensed saloons, inns, or taverns," and actual prohibition of the manufacture or sale of liquor, as far back as 1838.

The same thing is true, in a more limited measure, as to gambling. Such speculation was condemned, of course, by vastly more people than the number that attacked alcoholic beverages as "refreshments."

Nevertheless, when Iowa City was young dicing and card playing and other forms of gambling were highly popular amusements among many pioneers. Such pastimes were not limited to the "rag, tag, and bobtail" of the community, and the "scum of society." Some of the foremost citizens of the county indulged in games of chance.

They were even penalized by the early courts, as records in the faded and stained-yellow pages of court

house books and files of a century and more ago reveal. Even officials of the county were tried, convicted, and fined for gambling.

One of the earliest antagonists of both liquor-drinking and games of chance was the territory's foremost citizen of 1838, His Excellency Robert Lucas, the first territorial governor of the new commonwealth carved out of Wisconsin territory and the Louisiana Purchase. He attacked them in his very first gubernatorial message, which he read to the Iowa legislature, in Burlington (the temporary seat of the Hawkeye government), which opened its first session on the second Monday of November, 1838, that is, the 12th day of the month. The governor lashed both of the weaknesses of man (and the genus homo is mentioned generically, rather than specifically, in this instance, although gambling and "drinking" were not indulged in by the "fair sex," of the 1830's, in the new territory, to any extent comparable with the gaming and cocktailing of the current era.) He progressively described the two famous (or infamous) pastimes, as "vices," "sins," and "crimes"—or, at any rate, as crime-generators.

His address contained these scathing, almost vitriolic statements: "Most disastrous consequences proceed from practices that, in some places, are considered only 'fashionable vices'—namely, gambling and intemperance!"

Among his other declarations in the same message, we find: "These two vices may be considered the fountains from which almost every other crime proceeds, as penitentiaries conclusively show. They have produced more murders, robberies, and individual distress than all other crimes put together. This is evident, when we consider the many thousands that annually destroy themselves, and bring their families to beggary and wretchedness, by pursuing these vices. Surely there can be no murder of a deeper moral dye than self-murder; no robbery, more heinous than robbery of our own families."—*Iowa City Press-Citizen*.



## RULERS OVER THE LAND THAT IS IOWA

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By ORA WILLIAMS

Havana was the seat of authority for the last of the rulers over the land that is now Iowa.

There were rulers in those days ruling in the western world as well as elsewhere. During all of the eighteenth century the lands of the Mississippi valley were dominated by at least nominal rulers. About 140 years ago came the era of the governors who governed. The first rulers were French, and these were supplanted by Spanish. Of the latter at least two were distinctly Irish. Some of these rulers dangled long titles to their extended names. Many of them were men sent away to the wilderness for good riddance. Only a few had capacity either to rule or to govern.

At the close of the era of the rulers, the last of them seems to have been subordinate to a captain general on the isle of Cuba, who had general military direction of affairs for his country in North America. There was a governor general in New Orleans and a lieutenant in St. Louis, but since the colonial system of the time was bottomed on military power, all reports on the way to "his Catholic majesty" were channeled through Havana. The pompous officer there probably never heard of the Des Moines valley and he didn't care how many pelts were carried down the great river. Both for France and for Spain colonization was for the army and navy. Civil government, if and when needed, could come later. Not until the United States took over did the governors try to really govern by law.

The French rulers of Louisiana functioned from Montreal and the Spanish from New Orleans. At least during the latter part of the Spanish ownership, a deputy was stationed at St. Louis. The Spanish land grants along the Mississippi river came from the official in

charge at St. Louis, and there was some question as to his right to make such favors. The following is the list of governors during the Eighteenth century:

#### FRENCH PROVINCIAL GOVERNORS

Marquis de Sanville .....	1699-1701
Bienville .....	1701-1712
Lemothe Cadillac .....	1712-1716
De L'Epinay .....	1717-1718
Bienville .....	1718-1724
Boisbrant (ad interim) .....	1724-1726
Perier .....	1726-1734
Bienville .....	1734-1743
Marquis de Vaureuil .....	1743-1753
Baron de Kelerec .....	1753-1763
D'Abbadie .....	1763-1765
M. Aubrey .....	1765-1768

#### SPANISH PROVINCIAL GOVERNORS

Antonio de Ulloa .....	1767-1768
Alexander O'Reilly .....	1769-1770
Luis de Unzaga .....	1770-1777
Bernardo de Galvez .....	1777-1784
Esteven Miro .....	1784-1791
Francisco de Luis Hortu .....	1791-1797
Gayoso de Lemos .....	1797-1799
Sebastian de Caso Calvo y O'Ferrell .....	1799-1801
Juan Manuel de Salsedo .....	1801-1803

Only one of the French rulers made a deep impress on history. It was during one of several administrations by Mr. Bienville that Iowa land was actually touched. The French rule spread out from Montreal to the west, which was reached through Detroit or Mackinaw. The fur buyers and missionaries led the van. The Indians were backing up. The Sac tribe had been encountered near Lake Champlain, but on the way west they had paused in what is now Wisconsin. A French officer had been killed, and an expedition was organized to punish the Sac tribe. The latter fled beyond the Mississippi and joined with their friends, the Fox tribe, and formed the coalition that lasted many years. The military expedition, under command of Captain Nichols Joseph de Noyelles, composed of French soldiers and Indian auxiliaries, entered Iowa at the north and followed the In-

dian trail to the Raccoon forks of the Des Moines. There, in April 1735, a duel was fought. The result was not what the pursuers expected. The Sac and Fox warriors were not exterminated. The French commander returned home without any trophies. That battle was fought not far from where now stands the capitol of Iowa. But Bienville was a vigorous ruler and extended the French influence far down the valley.

#### SPANISH RULERS SUPPLANT FRENCH

Louisiana became a thoroughly French colony and in its commercial and social phases remained so all through the Spanish regime. When as a result of the French-Indian war, the British crown despoiled France of American possessions, Louisiana was tossed into the lap of the King of Spain. The change was not to the liking of the French colonists in Louisiana. The first of the Spanish governors, Antonio de Ulloa, seems to have been incompetent, as a result of which the French colonists started an insurrection. The colonists went so far as to expel Ulloa and prepared for some sort of independence. But the Spanish authority was restored by Alexander O'Reilly, an Irishman who dearly loved a fight. How Alec came to his high position in Spain is another story, but all accounts agree he was a ruthless and cruel ruler, who restored order by force and bloodshed. The French colonists outnumbered the Spanish and did not give up the hope that they might be again under French rule, or at least free from Spanish rule. The disturbed condition of political affairs in Europe encouraged them in this idea.

Already, before the American Revolution of 1776, the American influence was being felt in Louisiana, and in the struggle of the colonies along the coast to establish independence the Spanish power was thrown against Great Britain. Governor Bernardo Galvz gave aid to the American colonists and captured the British posts in West Florida. Of course the Spanish help for American colonists was not for love of the colonists, but for dislike of Britain.

Another Irishman appears on the pages of history with a name somewhat Spanished. This is the Marquis Sebastian de Caso Calvo y O'Ferrell. He was allied by marriage to Governor O'Reilly and had been with the latter at New Orleans. He also saw something of the bloody revolution in San Domingo. He was in command of troops on that island when the revolting blacks cut the throats of several hundred French citizens. He was a native of Havana and was governor of Louisiana 1799-1801. He seems to have been less bloodthirsty than O'Reilly. He was designated later by the Spanish government to be one of the commissioners for the transfer to France. He remained in Louisiana so long afterwards that he fell under suspicion and was requested to leave the country.

#### AMERICANS TAKE OVER

Under the governors for the United States the seat of executive authority shifted, and included New Orleans, St. Louis, Vincennes, Detroit and Belmont. Gradually the military influence receded. During the period 1821-1834, when Iowa was a no-man's-land and not a part of any territory, the only government was military.

#### UNITED STATES GOVERNORS

Wm. C. C. Claiborne, Louisiana .....	1803
Amos Stoddard, temporary .....	1804
Wm. Henry Harrison, Indiana .....	1804
James Wilkinson, Louisiana .....	1805
Meriwether Lewis, Louisiana .....	1807
Benjamin A. Howard, Missouri .....	1809
William Clark, Missouri .....	1813
U. S. Army control .....	1821-1834
Lewis Cass, Michigan .....	1834
Henry Dodge, Wisconsin .....	1836

The prairies of Iowa were a long way from Washington, and still farther from Madrid and Paris at the time Napoleon sold Louisiana, which he didn't own, to representatives of Jefferson, who didn't want it, for a few dollars the seller much needed and the purchaser didn't have, the details of the transference being negotiated



by Robert Livingston and James Monroe; hence the history of the transactions that followed immediately are not all clear in the history books.

At that precise time, the French government had sent Pierre de Laussat to New Orleans to assume French authority in the province, in accord with the treaty made in 1800. He at least nominally held control for 30 days prior to Dec. 20, 1803, when the province was turned over to Governor Claiborne and General Wilkinson. The former was governor of the Territory of Mississippi and the latter a notable officer in the U. S. army. As commissioners on behalf of the United States they assumed authority over all Louisiana, which extended to the far north. Claiborne resigned his Mississippi territory job and remained with Louisiana. He became governor to the territory of Orleans and first governor of the state of Louisiana. The last Spanish governor of Louisiana was Salsedo, but his predecessor joined with him in ceremonies of relinquishing Spanish rights.

The transfer at New Orleans, where the French flag flew only twenty days over the province, did not complete the transfer to the United States. There was a Spanish lieutenant governor at St. Louis with authority over Upper Louisiana or all above Memphis. This was Don Carlo de Lassus. Letters were received by him early in 1804 notifying him it was time to haul down the Spanish flag. He got orders from Salsedo and Caso Calvo, and from Claiborne, telling him about the deal. He was also notified by De Laussat that Amos Stoddard had been designated to represent the French authority in the matter of the transfer. Accordingly, on March 9, 1804, Capt. Amos Stoddard arrived in St. Louis with a small detachment of troops from Kaskaskia. Meriwether Lewis was there. The exchange of letters all 'round indicated that the American flag would be quite welcome in St. Louis. An elaborate ceremony was arranged. Stoddard represented both the French and American governments. The Spanish flag was hauled

down at the fort, and the French went up. A little later the French flag came down and the American stars and stripes appeared. There were about 300 people living in St. Louis at the time and they were all out to hurrah for the new flag. Captain Stoddard issued an order appointing all the Spanish military officers for similar civilian posts and directing that no changes be made for the time being. Thus it was that the region which is now Iowa became American in March 1804. It was several months later before all the Spanish soldiers went away.

#### LOUISIANA DISTRICT ATTACHED TO INDIANA TERRITORY

Gen. Wm. H. Harrison was governor of Indiana territory immediately adjacent to Upper Louisiana, and he was designated to exercise governorship over the newly acquired District of Louisiana, which was in fact Upper Louisiana. Harrison arrived in St. Louis Oct. 1, 1804, Capt. Stoddard having been in charge for six months. The seat of administration for the territory was therefore made at Vincennes, which was Harrison's official station. The laws of Indiana territory were applied to the District of Louisiana.

Largely through the efforts of Harrison, Upper Louisiana, which had all along been treated as separate from either Louisiana or the Isle of Orleans, became Louisiana Territory in 1805. Evidently Harrison was glad to be through with trying to be the boss, as he had abundance of trouble in the big region east of the river. The Indian wars were in sight and the Battle of Tippecanoe was yet to be fought. In the south the Territory of Orleans had been made out of the old Spanish province. Civil governments were coming to replace military; but the fact that nearly all the governors appointed from Washington were military men showed that the frontier problems were even then mostly for the army.

When the District of Louisiana was set going as the Louisiana Territory in 1805, President Jefferson sent to be first governor, Gen. James Wilkinson. The terri-

tory became a reality March 3, 1804. General Wilkinson is a strange character in American history—eminent soldier of the Revolution, commander in chief of the U. S. army, commissioner to handle Louisiana affairs, organizer of a movement to separate Kentucky from the union, tried for connection with the Burr conspiracy, and known to have been in the pay of the King of Spain while still pretending to represent American interests, and so on. Despite positive proof of his disloyalty, or at least duplicity and scheming, he retained the confidence of Jefferson. Of his administration little is known save that he got into much trouble and was disliked.

Lieut. Meriwether Lewis was also the special friend of Jefferson. He had been secretary to the president when he was sent with Gen. William Clark to make the journey up the Missouri river to the Pacific. He was appointed to succeed Wilkinson, and served well for a brief time.

Benjamin A. Howard, also a soldier and statesman, became governor. He had been a congressman in Kentucky and also long connected with the army. It was while he was governor of Louisiana territory that Orleans territory was admitted as a state with the name Louisiana. This suggested that a new name must be found for Louisiana territory, and it was renamed Missouri territory. So Mr. Howard was the last of the governors of Louisiana territory and first for Missouri territory. Then he was succeeded by Gen. William Clark, the associate of Lewis on the western expedition. Clark seems to have been governor of Missouri territory until the state of Missouri was organized in 1821.

#### IOWA SECTION UNORGANIZED

Then followed the period when Iowa was without any headship—the thirteen years from 1821 to 1834. Whatever government existed was military. It was during this period that the state makers at Washington planned to convert what is now Iowa into a perpetual Indian

reservation. The frontiersmen ruled otherwise. The long rifle and the breaking plow vetoed everything that was intended to keep Iowa a wilderness.

Lewis Cass was governor of Michigan during the brief period when Iowa was a part of that territory; and Henry Dodge was governor of Wisconsin while Iowa was part of that territory.

There were two rather peculiar phases of Iowa history as related to the rulers and the governors. One was that time just mentioned when the land was left virtually without any government for thirteen years, a time when the homeseekers were crossing the Mississippi in whole regiments and taking possession of the rich land. The other was that earlier time when from 1800 to 1803, the Province of Louisiana was supposed to be a French possession, but Spanish officials remained in full control. It might easily have been that Iowa could have become either French or Spanish or part of an independent nation. The diplomatic and military moves were confusing and adventurers were scheming. Fortunately the good sense of American pioneers reached a wise solution to all problems.

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#### FUNDS FROM LAND FOUNDED ASYLUM

Gov. Stephen Hempstead: By an act of the general assembly approved February 5, 1851, it was provided that as soon as the congress of the United States should give their consent, the saline lands belonging to the state might be sold, and the proceeds thereof constitute a fund for the founding and support of a lunatic asylum; and that five thousand dollars of the principal thus obtained, should be applied under the direction of the superintendent of public instruction, for the use of the College of Physicians and Surgeons at Keokuk.—Message to House of Representatives, Jan. 11, 1853.



## ARMY CAMP AND ORPHANS HOME

By DR. CHARLES E. SNYDER<sup>1</sup>

Davenport was the location of five camps for the reception and training of recruits during the time of the Civil war.<sup>2</sup> The first and the longest continued was Camp McClellan, situated on the bluffs, then just east of the city limits, now included within the incorporation and the site of its more pretentious residences. The camp was opened August 8, 1861. Five Iowa Regiments went out from Camp McClellan before it became a prison camp for recalcitrant Sioux Indians after the uprising in Minnesota.

Camp Joe Holt, which dated from August 22, 1861, was located between Thirteenth and Northern Avenue, now Kirkwood boulevard, between Perry street and Rock Island street, now Pershing avenue. Camp Herron was opened August 25, 1862, between Farnam street and Churchill's addition. Camp Hendershott began October 10, 1862, between Thirteenth and Locust streets north and south and Ripley and Scott streets east and west. Joe Holt and Hendershott did not last long.

Our present study is directed towards the fifth of these locations, Camp Roberts, opened July 14, 1863, which afterwards was known as Camp Kinsman. At the Iowa Soldiers' Orphans Home is a small stone marker with the inscription:

"Site of Camp Roberts During The Civil War.

Dedicated by Hannah Caldwell Chapter D.A.R., 1929."

There is nothing else evident to associate Gen. B. S. Roberts with the city where he lived in that fateful year of Gettysburg and Vicksburg.

<sup>1</sup>The Rev. Charles E. Snyder, Litt. D., L.L.D., Iowa City, Iowa, formerly minister of the Unitarian church, Davenport, Iowa; author of articles in THE ANNALS OF IOWA,

Vol. XXI, p. 441; Vol. XXIII, p. 79; Vol. XXVII, p. 15; Vol. XXV, p. 147; also in *The Iowa Journal of History and Politics*, Vol. XLII, No. 1, p. 112; Vol. XLIII, No. 3, p. 302; Vol. XLIII, No. 4, p. 388; Vol. XLIV, No. 3, p. 291.

<sup>2</sup>"History of Davenport and Scott County," by Downer, pp. 664 ff.

General Roberts was born in Vermont<sup>3</sup> and was graduated from West Point in 1835, and soon afterwards turned up as a second lieutenant at Fort Des Moines, in what is now Iowa. He was a flashing young officer just in from the east; but Col. Stephen W. Kearney in command at Fort Des Moines soon took the most of that off him, including a luxuriant beard of which the young lieutenant was visibly proud. In 1839 he resigned from the army and devoted his engineering training to civil undertakings, including railroad building in northern New York. In 1842 he accepted an offer from the government of Russia to engage in railroad construction. Upon his arrival over there it was demanded that he take an oath of allegiance to the Tsar's government, which he refused to do. Roberts returned to the United States and to Iowa, where he settled in Fort Madison and where he was admitted to the bar and entered into the practice of law.

#### ROBERTS IN MEXICAN WAR

At the outbreak of the War with Mexico he immediately returned to the army as a captain. He was present at the capture of Vera Cruz and moved on to the attack on Mexico City, his record including Cerro Gordo, Cherubusco, and finally the capture of the capital itself. Captain Roberts was designated by General Scott to lead the first troops into Mexico City and to raise the first United States flag over the ancient castle, The Chapultepec.

Both he and his adopted state showed complimentary appreciation to each other. Roberts picked up an ancient suit of Spanish armor in Mexico, in three pieces, helmet, breast plate and back plate, the whole fantastic business weighing about thirty-five pounds, which he sent back to Iowa as a present. It is preserved in the library of the State Historical Society in Iowa City.

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<sup>3</sup>*The Palimpsest*, Vol. I, Article on Gen. B. S. Roberts, by Miss Ruth Gallaher, pp. 75 ff. *THE ANNALS OF IOWA*, Vol. 1, First Series, pp. 200 ff.; Vol. XXVIII, pp. 81 ff.

With the armor was sent a sword which seems to have disappeared a few years later and still remains among the unknown. In Volume I, First Series of *THE ANNALS OF IOWA*, (January 1864) is an article on General Roberts by the then editor, T. S. Parvin, in which there is included a portion of a letter by Roberts under date of December 15, 1863, to the librarian of the State Historical Society, the Rev. S. S. Howe. Mr. Howe had advised General Roberts in Davenport that he thought he had recognized the sword. Roberts wrote a description of it, as being a slightly curved instrument of war, with a basket hilt, inlaid with silver. There are a few unidentified swords in a display case in the library of the State Historical Society, but none of them sufficiently answers this description to make an exact identification.

In the letter Roberts explains briefly how he came by the sword. With a force of seven hundred men he was chasing the Mexican guerilla chief, General Torrejon, and his men, on the tenth of November, 1847. The Mexicans were running their horses up a mountain path with Roberts and his men in close pursuit and gaining on them. Torrejon hard pressed, abandoned his horse and took to his feet up a goat path where the Americans could not follow. According to the custom of the Mexican cavalry, the sword was attached to the saddle, and Torrejon did not stop to unhook it. Roberts took it as he came up to the horses the Mexicans had left behind.

The General Assembly of Iowa, Jan. 15, 1849, voted an appropriation to purchase a sword as a gift to Colonel Roberts (he came out of the war with that rank). The sword was presented to him in Washington by Iowa's representatives in the Congress. It remains in that city.

Following the fighting with Mexico Roberts returned to Fort Madison and his profession. When the Civil war broke out he again entered into military life. He was at first assigned to Fort Stanton<sup>4</sup> in New Mexico, in 1861. In 1862 he was promoted to be a brigadier

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<sup>4</sup>*THE ANNALS OF IOWA*, op. cit.

general of volunteers. In May 1863 he was designated to take command of the Iowa District with headquarters in Davenport where his office was in the Metropolitan building at the southeast corner of Second and Brady streets. The camp under his command was christened for him while he was in Davenport.

He was in Davenport only a few months, as in December of the same year he was transferred to the Department of The Gulf. It does not appear that he returned to Iowa to live after the war was over. He remained in the regular army and died in Washington January 29, 1875.

#### CAMP RENAMED FOR COLONEL KINSMAN

Camp Roberts was afterward renamed for Col. William H. Kinsman, another adopted son of Iowa. Colonel Kinsman was born in New Scotia in 1834.<sup>5</sup> He was possessed by the spirit of adventure from his boyhood; at the age of fifteen he went to sea on a windjammer. Four years later he was in New York a student at the Claverack College and Hudson River Institute from which he was graduated about 1857.<sup>6</sup> We find him later in Cleveland engaged in newspaper work, and in the study of law, which did not take much effort in those days. He was soon off again, for more westerly scenes. This time he got beyond the railroad limits and crossed Iowa on foot. He got to Council Bluffs in 1858 without any money. There he taught school some, wrote for the local newspaper, and after he had been admitted to

<sup>5</sup>THE ANNALS OF IOWA, Vol. V, pp. 241 ff.

<sup>6</sup>"Iowa Colonels and Regiments," by Stuart, pp. 383 ff.

<sup>7</sup>Aurner's "History of Education in Iowa," p. 335. See also Stuart, op. cit.

This reference comes close home to me for I was born in Hollowville, New York, about three miles from the village of Claverack, the site of the school in question, which was still going in my boyhood. It dated back as Washington Seminary to 1777, the year of Burgoyne's surrender to Gates some fifty or more miles north of Claverack. One of the young impressed British soldiers in the Burgoyne army went down to Washington Seminary as an instructor and in a few years became principal of the school. He was Dr. Andrew M. Carshore. He held the office for twenty-five years or so. The name of the school was changed to include the title of "college", but it was in reality a preparatory school, in which function it had a long and honorable career. About 1900 it went the way of many such private schools in competition with public high schools. The name "Claverack" is a Dutch word applied to the region by Henry Hudson in 1609, when he and his Half Moon made their way up the river named in honor of its first white explorer. The word means "clover reaches" or "clover meadows", as Hudson saw the valley fields all abloom.



the bar became associated with the law firm of Clinton and Bartlett. Later that year the lure of Colorado and its gold was attractive in Kinsman's sight and he was off again, this time to Pike's Peak; but he didn't stay long. Returning to Council Bluffs he settled in the practice of law with Col. D. C. Bloomer, whose name is preserved in none of his professional activities but in a peculiar garment devised for feminine wear by Mrs. Bloomer, who had gone sour on the prevailing styles.

Kinsman was active in the Lincoln campaign of 1860 and in the military company, the Council Bluffs Guards, whose captain was Grenville M. Dodge. When the nation was ripped in two by the shooting at Fort Sumter, the guards were called into action. Kinsman went out as a second lieutenant. His early service was in the Missouri area, at Pea Ridge and in the campaign of which it was a part. His promotions were rapid, and he was soon in command of the Fourth Iowa regiment and later of the Twenty-third. He was a dashing officer, always preceding his regiment in attack, with drawn sword held high and with urgent voice shouting his men on. In 1863 he and his regiment were transferred to the Vicksburg campaign, where in a charge on a breastworks he was fatally wounded. The story goes that he had a premonition that that battle would be his last and confided it to some of his friends, asking them to see that he be buried on the battlefield. Colonel Kinsman died May 18, 1863.

General Dodge, who wrote the memoirs of Kinsman in *THE ANNALS OF IOWA*, Vol. V., later started a movement for the removal of the remains to Council Bluffs, which finally occurred in 1902.

#### IOWA'S DEBT TO ANNIE WITTENMEYER

After General Roberts left Iowa for the Gulf Region, the camp in Davenport was renamed in honor of the dead Colonel Kinsman, and continued as such until it was abandoned. Before the noise and smoke died away, however, a movement was under way that was destined

to change the function of the place from that of training young men in the ways of war to that of training boys and girls in the ways of peace and righteousness.

Out of Keokuk had come that flaming angel, the Florence Nightingale of Iowa, Mrs. Annie Wittenmeyer, to whose memory Iowa has never given fitting tribute. She made the care of wounded soldiers her commanding purpose in life. Governor Kirkwood appointed her "State Sanitary Agent". By a natural route of quick comprehension her ready mind passed from the dead men in blue uniforms to their families back in the towns and on the farms of Iowa. That comprehension gave birth to her idea of a home or homes for the care of the orphaned children of those soldiers. When Mrs. Wittenmeyer laid hold on such a project she knew no stopping place.

A meeting was held in Iowa City September 23, 1863, to get something started; and at subsequent meetings in Muscatine on October 5th, and in December of that year, an organization was set up to carry on the project, under the name of "The Iowa Soldiers' Orphans Association." The start was made in a rented home in Farmington, Van Buren county, in 1864, and a second home was opened in Cedar Falls in 1865. By September of that year both homes were full.

When Camp Kinsman was abandoned by the army, its barracks or cottages stood empty. It occurred to Mrs. Wittenmeyer that here was the ready-made place for the orphans' home, if the war department could be made to see it. Mrs. Wittenmeyer posted off to Washington with her unabated energy and persuasive powers.

In her book "Under The Guns" Mrs. Wittenmeyer describes her visits at various offices and finally armed with written statements from different army officers a visit to the secretary of war, Edwin M. Stanton, whose interest proved to be quick and deep. Her request included requisitions for hospital supplies, blankets, sheets,

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<sup>1</sup>Downer, *op cit.*

pillows, pillow cases, "and so on to everything I could remember that could be of use to the home were enumerated." With the recommendations of Stanton, the surgeon general and the quartermaster general, final action for transfer of the property must be taken by the congress. Senator James W. Grimes, of Burlington, and Congressman Hiram Price, of Davenport, quickly and effectively took hold of the project and congressional action moved rapidly. The property was transferred to the society. The gift from the government included 273 acres of land and an estimated \$27,000 in movable property.

With all of this property in their hands the society had to undertake extensive repairs and large quantities of additional equipment. A financial campaign in Davenport and Scott county was started in October, 1865. Judge John F. Dillon was made chairman of the campaign setup. The Davenport papers for October and November, 1865, carry the stories of the subscriptions as they came in from the city and from the towns of the county. Finally, these subscriptions seem to have totalled some forty thousand dollars. The story of the proposed home was taken to the Iowa soldiers, some themselves in hospitals. The project caught their sympathetic imagination and some fifty thousand dollars come from them.<sup>8</sup>

The work of repairs went on rapidly and equipment was secured. The home was put in use in November before the work was done, however, when the one hundred fifty children in the home in Farmington were moved to Davenport.

With all of this additional opportunity to care for the children, the distances in Iowa were another problem. The part of the state on the Missouri had its necessities too. In 1866 a third home was established in Glenwood. The project had outgrown the plans of its promoters, to whom came the suggestion that it ought to be a state undertaking. The general assembly of Iowa of 1865

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<sup>8</sup>See *The Journal of History and Politics*, Vol. XVI, pp. 260 ff and Vol. XXIV, pp. 519 ff.

had to be shown when the project was presented to its members; but it came up again at the next session when the members saw the light and by virtue of appropriate legislation the property formally passed to the state June 6, 1866, the first institution of its kind under state ownership and direction in the United States. The children in the home at Cedar Falls were moved to Davenport and in 1876 the group at Glenwood followed. The abandonment of those state institutions explains the location of the State Teachers' College at Cedar Falls and of the School For the Feeble Minded at Glenwood, as local substitutes for the orphans' homes.

Into the story of "The Orphans' Home" are woven the names of Roberts and Kinsman, as recognition of their military services; the erosions of time have pretty much buried their names in the debris of fourscore years. There would be nothing to remind Davenport of them now but for the valiant labor of a woman of great soul, who without thought for the names attached to a site of an abandoned camp, moved Iowa to say of innumerable children, "Let them come unto me and forbid them not."

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#### A DUTY OWED TO RISING GENERATION

Gov. Henry Dodge: I recommend to the legislative assembly, the propriety of asking from congress a donation of one township of land, to be sold, and the proceeds of the sale placed under the direction of the legislative assembly of this territory, for the establishment of an academy for the education of youth; the institution to be governed by such laws and regulations, and to be erected at such place as the legislative assembly may designate. It is a duty we owe to the rising generation to endeavor to devise means to improve the condition of those that are to succeed us; the permanence of our institutions must depend upon the intelligence of the great mass of the people.—First Annual Message, Oct. 26, 1836, to the Territorial Legislative Assembly, Territory of Wisconsin.



## FRONTIER FEAR OF THE INDIANS

Fear of the vengeance of the retreating Indians held back the conquest of the prairies of Iowa and retarded the growth of the state in its formative days; but not for long. The pioneering man in quest of land from which to earn an honest living finds ways to quiet his fears. The pioneering woman in dead earnest about finding a place for a home will face any danger. It is now ninety years since the last real "Indian scare" disturbed the steady march of civilization in Iowa. It is late, quite late, to indulge in shivers in sympathy with the pioneers and their families; but it would seem as if the end had not yet been reached in disclosing reliable information as to some of the important steps taken to safeguard the northern frontier. In this connection there has come into the possession of the Iowa Department of History very recently some crumbling papers with fading records that give information not before available for the historians of Indian life in Iowa.

The events of the "Spirit Lake Massacre" and what followed have been well covered in the Hawkeye histories. It is also known there was a subsequent relief or defense expedition sent into the Spirit Lake region. It seems that after the repulse of the attack by the Inkpaduta band of Sioux Indians, and the settlement of the region was resumed, there was cause for another great alarm over the possibility of renewed warfare. A band of Sioux Indians appeared near Spirit Lake in January, 1858. They said they were of the party that had been helpful in rescue of the survivors of the Spirit Lake massacre. The settlers were suspicious. The governor was appealed to and under special authority of the general assembly he authorized formation of a military company to protect the frontier. This company was formed at Webster City in command of H. B. Martin of that city, and is listed in the Roster of Iowa Soldiers as the Iowa Frontier guard, to be distinguished from the Northern brigade and other organizations. Evidence now at hand gives opportunity to add materially to information not available when the Roster of Iowa Soldiers

was compiled by Col. George W. Crossley. At first he reported inability to find any roster of this guard company, but later added a muster roll, furnished him by C. C. Stiles from the archives division of the Historical department.

In his History of Dickinson county, R. A. Smith states that ten men from Dickinson county went into the company, but Colonel Crossley did not find all of them in the muster roll. However, the names of several of these men do appear on the payrolls now at hand, and one, Jareb Palmer, who had been mail carrier from Spirit Lake to Sioux City is conspicuous. It is stated that this company was composed largely of men from Hamilton and Webster counties. It went to the scene of supposed danger probably in February, 1858. In July the company was "ordered off but not disbanded," according to Mr. Smith. In fact the company was re-enlisted later and the muster roll in the Roster of Iowa Soldiers is that of the re-enlistment.

The first report from Capt. H. B. Martin was dated March 31, 1858 and gives the names of thirty-three officers and men including himself as having served thirty-one days, or all of the month. This is followed by others in April, May and June, and a statement by J. Palmer, captain, showing part time served in July and August, 1858, by twenty-one officers and men of the Spirit Lake Rangers. Then there is report of Capt. H. B. Martin showing the service of forty-five officers and men during the month of February 1859. This includes all of those who had previously been reported. It is plain, therefore, that the original company was broken up in midsummer of 1858 and then reorganized and returned.

This added information has been made available through the courtesy of Gurney C. Gue, of Merrick, N. Y., who found among the papers left by his father the late Lieut. Gov. Benjamin F. Gue, who was first secretary of the State Historical department, the original reports of officers of the Iowa Frontier Guard, or "Capt. H. B. Martin's company" and forwarded same to be a

part of the state's records. The list of soldiers varies little in the reports. H. B. Martin, of Webster City, was captain in both years, but at one time Jareb Palmer signed himself "Captain of Spirit Lake Rangers." W. L. Church, of Homer, and D. S. Jewett, of Border Plains, were lieutenants. At the outset W. H. Farner was company surgeon, and later Jonas Ball appears as surgeon. The reports were made to Col. C. B. Richards, commissary general.

#### BORDER HOMES THREATENED

Aside from the value of these papers in making plainer than ever before just what happened at the time of this panic about the Indians in 1858 and 1859, these records afford interesting reading as to the real condition on the border of civilization. The events of 1857 were not forgotten, but the land seekers continued to come, and there were frequent rumors of renewal of Indian troubles. There were roving bands of Indians to be seen near their favorite hunting grounds. Therefore the Iowa Frontier Guard was organized and sent to the lake region. Captain Martin's report of March, 1858, gave the following information in addition to a roster of his company for payment:

Head Quarters Iowa Frontier Guard  
Spirit Lake, March 31st, 1858.

Sir:

In compliance with Special "Order No. 2" on the morning of the 2nd inst., I divided the Iowa Frontier Guard into three detachments one of which was placed under command of 1st Lieutenant Wm. Church and directed to proceed to Gillett's grove in Clay county and report at Head Quarters; another under charge of 2nd Lieutenant D. S. Jewett was directed to station at Granger's Point in Emmett county; with the remaining detachment I took up the line of march for Spirit Lake where I arrived on the 6th Inst., and was generously furnished quarters and stabling by the citizens. I found the settlers here in a state of alarm caused by the undoubted proximity of Indians and the exposed condition of the frontier. Having allowed two days for the men and horses to rest on the 9th inst. with a part of my detachment I proceeded to Heron Lake, a favorite rendezvous for Inkpedutah's band, about 25 miles distant where from information received I expected to find him. We started early in the morning and after a toilsome march of ten hours arrived in plain view of the

timber on the lake, to which the men eagerly advanced expecting to have an opportunity of avenging the cold-blooded murders committed here last spring but were doomed to disappointment; a camp of six tepis (lodges) was all that could be discovered. On the next day after sending scouts to a number of small lakes and groves in that vicinity I returned to Head Quarters.

Lt. Church not having yet communicated on the 12th inst. I dispatched Sergeant Stratton and Private Laughlin as messengers to his station and to ascertain if possible the location of a band of friendly Sioux Indians (Little Dog or Little John's band) that had left here a few days previous to my arrival and to which I referred in a former communication. The messengers were not able to reach Lt. Church's station on account of high water, but discovered Little Dog's band encamped in a grove on the Little Sioux and returned on the following day. On the 16th inst. I selected one private and set out for the Indian camp to notify them to leave the state and for the purpose of visiting the Sioux (Gillett's) Station; by swimming the horses across the Sioux river I arrived at the Indian lodges late in the afternoon and requested the Chief Little Dog to remove himself and band from the state which he done within four days from that time. I reached the station at Gillett's early the next morning having been compelled to pass the night on the open prairie.

Lieut. Church arrived at Gillett's grove on the 5th inst. and after securing shelter for his men and horses tried at different times to forward dispatches to headquarters, but was prevented in each instance by high water. He had also discovered and was closely watching the movements of Little Dog's band. He reports that a number of dwelling houses on the Sioux river were plundered by the Indians during last winter, and that his men have found a quantity of household articles buried beneath evacuated tepis near his station.

I returned to headquarters on the 18th inst. and visited Lt. Jewett's station on the 22d. That detachment arrived at Granger's Point on the 6th inst., was furnished comfortable quarters by Mr. Granger and has communicated with this station once each week.

Each of the detachments reconnoitre the surrounding country by daily scouts.

#### SITUATION IMPROVES

In the report of Captain Martin to Colonel Richards at the close of April he presents a fairly satisfactory picture of the situation as follows:

Owing to the unpropitious state of the weather and the swollen condition of the streams the operations of the Frontier Guard during the present month have been limited to scouting in the immediate vicinity of the various stations. No Indians have



been seen on this side of the state line. Confidence seems to be restored among the settlers and immigration has begun to pour in. Weekly communication with the several detachments, though with great difficulty, has been kept up.

The captain indicates that the first detachment of his little company is at headquarters, under his command, which headquarters was at the old fort in Spirit Lake town. The second detachment was in charge of Lieut. D. S. Jewett, at Granger Point, and the third was directed by Lieut. Wm. S. Church, at Gillett's Grove. When the captain turned in his report for payment of the men May 31, he stated he had withdrawn the detachment from Granger's "as there has been a heavy settlement made farther north since the first of last March." Then he added:

The officers and soldiers of the company are all in excellent health and have thoroughly and satisfactorily searched the country in all directions during the present month. The settlements are rapidly augmenting and I think within one year will be fully able to protect themselves.

The next report was dated at Fort Dodge June 30, 1858 and gave thirty-two names for payment, and added this as to the situation in general:

The company has been engaged in scouting during the present month. No Indians have been seen and all is quiet on the frontier. On the 26th inst., in compliance with Order No. 5, I took the line of march for this place. The company arrived today and awaits further orders.

It may not be improper to here call your attention to the faithfulness and alacrity with which the officers and soldiers have performed every duty required of them during the campaign. They have been exposed to much inclement weather and have suffered many privations, and although the guard has not had an opportunity of meeting the enemy in the field yet in my humble opinion its presence on the frontier has had a very beneficial effect in intimidating and keeping at bay the roving bands of savages that have heretofore so frequently molested the settlers in the northwestern counties, and in encouraging immigration to that part of the state.

#### SPIRIT LAKE RANGERS

At this point the record is not entirely clear as to what was done to protect the settlements from the supposedly dangerous Indians. The Iowa Frontier Guard seems

to have been sent home, but the company not completely disbanded. The name of Jareb Palmer, the intrepid mail carrier, is at the front. He had been a private in the guard company, and having borrowed \$75.00 from Dr. W. H. Farner, the company physician, gave an order, which Captain Martin approved, for payment out of the sum due him for April.

It was this Palmer who was placed at the head of an informal company called the Spirit Lake Rangers. He listed himself as serving twenty-five days in July and August; also some others the same length of time and the majority of the rangers serving for ten to fifteen days. There were twenty-one members reported for pay as follows:

Captain J. Palmer; 1st Lieut. A. Hingman; 2nd Serg. William Donaldson; 3rd Serg. G. W. Rogers; 1st Corp. Thompson Mead; 2nd Corp. J. P. Gilbert; 4th Corp. W. D. Carsley; privates: George King, Ephraim King, W. C. Swett, Lewis E. Strate, William Jordan, Isaac H. Jones, O. M. Barker, Peter Holland, Harney Abbott, Addison Arthur, W. E. Root, Jacob Kirkman, Henry Brockshrub, William Oldham.

The payroll seems not to have been presented until a year or more later, but was sent by Captain Palmer to Governor Kirkwood with the following letter:

Spirit Lake, Nov. 15th, 1860.

Gov. S. J. Kirkwood.

Dear Sir:

Inclosed please find statement of services rendered the state of Iowa by the Spirit Lake Rangers to which I wish to call your attention, and if you can possibly pay my men out of the appropriation made by the General Government I trust you will do so for they were to a great expense to get their outfit, provisions, etc., and also they were obliged to leave their crops without tending while they were gone. My men were all mounted. This company was raised by order of Governor Lowe with instructions to act in case of any emergency making it necessary to protect the lives or property of the citizens of the state from Indian depredations. If you wish any affidavits showing the necessity of the service I will procure and forward them to you. The service comprised to (two) separate expeditions, one of 10 days and the other of 15 days. If you wish any further particulars I shall be happy to furnish them, or would refer you to Hon. O. C. Howe, Spirit Lake, Dickinson county, Iowa, or to Ambrose S.

Mead, Peterson, Clay county, Iowa. Hoping that I may hear from you I remain your obt sert, J. PALMER, Capt. Spirit Lake Rangers.

### GUARD COMPANY CALLED BACK

The muster roll of "Capt. H. B. Martin's Company for the Defense of the Northwestern Frontier" in the Division of Public Archives shows mustering in for service Nov. 22, 1858, and the list as published in the Roster of Iowa Soldiers is that taken from the payroll dated Jan. 23, 1859. The report of Captain Martin the following month, gives the names of his company, and also the following interesting account of services rendered:

Head Quarters Iowa Frontier Guard  
Spirit Lake, February 28th, 1859

Sir:

... The bearer of this report will deliver into your custody two Indians who were found prowling in this vicinity and taken prisoners on the 22nd inst., also the affidavits of Messrs. H. M. Wiltfong, J. N. Dodgson and J. B. Cheffen identifying them as members of Ink-pa-dutah's band.

One of the prisoners came into our camp on the morning of the 22nd inst. accompanied by a half-breed who calls himself John Campbell. This half-breed speaks good English and on his arrival asserted that himself and companion were members of Little Crow's band and received their annuities at the Redwood or Lower Sioux Agency. He further stated that his brother Joseph Campbell with eighty or ninety warriors had recently been ordered by Major Cullen to go to the falls of the Big Sioux river for the purpose of capturing Ink-pa-du-tah and his band who have been encamped near Sioux Falls all winter; that himself and comerade were members of the expedition; that the expedition left the Redwood Agency in several parties all of which were to rendezvous at the forks of the Big Sioux river; that there were three squaws and eleven warriors in the party to which himself and companion belonged; that the squaws were at their "Teepah" or lodge and the other men had gone to select a place for camping on some west of this; that after their departure from Redwood a bad Indian stole and absconded with all the flour which Major Cullen had furnished them and they came this way for the purpose of obtaining supplies from Joseph Campbell who would certainly be here on the 22d or 23d inst. with a party of sixty warriors. Knowing that this place is many miles south of a direct course from Redwood to Sioux Falls, I placed no reliance whatever in this story, but retained the Half Breed and Indian in camp and detailed five men to accompany me and followed their trail to their lodge, which I found at the head of

Spirit Lake about eight miles distant from camp. Before arriving at the lodge we saw an Indian running from us and in the direction (as we afterwards ascertained) of the Teepah. He soon entered a grove of timber and we did not succeed in getting sight of him again. At the lodge we found three squaws and as many papooses. Not deeming it advisable to permit these Indians to depart without knowing more of their precedents and intentions, I returned to camp and sent out the Half Breed and his companion under a strong guard directing the guard to compel the Indians to remove their lodge to the immediate vicinity of our camp which order was promptly executed; the guard succeeding in capturing another Indian on its return. I caused the Indians to erect their lodge near the barracks and kept them vigilantly guarded until the next day when I ordered two of them, who were recognized by Messrs. Wiltfong, Dodgson and Cheffen as members of Ink-pa-dutah's band to be placed under close arrest.

I now send these prisoners to you together with all the evidence which I have been able to obtain against them, in order that you may use your own discretion as to the proper course to be pursued with them, respectfully recommending that they be treated in a very kind and humane manner, as it is possible that the affiants are mistaken. The name of the elder prisoner, as given by the Half-Breed, is Wau-kunka-she-taw-kah or Lying Wanderer; of the younger, Taw-an-a-tah.

The presence of this band of Indians and the report that they were daily expecting to be joined by a large party of warriors has caused much alarm among the settlers here. As I have before stated since the Massacre of 57 the inhabitants of this frontier are alarmed at every indication of the approach of savages and for that reason I think that measures should be taken to prevent even friendly Indians from visiting the settlements with impunity and imposing upon and terrifying the citizens of our state.

It is perhaps sufficient to recall at this time the disturbed condition of affairs on the northwestern Iowa frontier following the attack by Inkpadutah and his band, and the difficulty of travel in that part of the state. It is not known what became of this vindictive Indian leader, but there was rumor among the Indians that his sons had a hand in the defeat and killing of General Custer, in Wyoming, many years later.

The activities of Captain Martin's company, or the Iowa Frontier Guard, were the last of military operations in Iowa against the Indians.



# *Annals Addenda . . .*

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## EFFIGY MOUNDS TO GOVERNMENT

The National parks service of the United States becomes the recipient from the state of Iowa of 1,256 acres of Indian effigy mound lands on the Mississippi river bluffs at the confluence of the Yellow river, near McGregor. By the purchase of the last 156 acres, the lands previously owned by the state were connected making a contiguous body of Indian mounds which Dr. Charles R. Keyes, director of the Iowa Archeological Survey, says are the finest and largest group of Indian mounds in the United States, as well as probably the largest compact Iowa area that has escaped the plow.

This continuous body of scenic and historic river borderland, more than three miles long and a half mile wide, has been acquired in several individual tracts by the state Conservation commission, for the creation of an Indian effigy mound national monument, and the last purchase by the commission links together the adjacent sections earlier acquired for the purposes indicated. Approximately 100 mounds are included, many of them in the form of birds and animals. They are divided into groups, three north of Yellow river and two south.

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## ACTION AFFECTING AGES REMOTE

The zeal and ardor of those engaged in the establishment of a stable and lasting government to endure for the ages, which marked the action of American patriots following the close of the Revolutionary war, perhaps has never been fully understood or appreciated by we of this day and age, except when opportunity presents to read and reflect upon the depth of feeling and earnestness of endeavor characterizing the early planning, as

evidenced by the contents of their records and writings.

Among the authentic papers borne by the Freedom Train now touring the country, the full meaning of which may escape many who will be looking for the more spectacular documents exhibited, is a significant four-page letter from Melancton Smith, dated at New York, January 1, 1789, to Gilbert Livingston at Albany, a member of the first assembly under the constitution, in which he says:

You know my sentiments on the constitution has been that it too strongly inclines to an aristocracy; do the best with it you can without amendments . . . The fair promises and pretensions of most of the leading men who were in favor of the new system are mere illusions. They intend to urge the execution of the plan in its present form. We ought therefore . . . to pursue the object of amendments with unremitting ardour and diligence . . . Politics has consumed so much of my time and thoughts that I should be glad to lay them aside, but the establishing a good government for a great country is an object of such moment I cannot give it up . . . I view it as affecting the whole system of things for ages remote.

Several cases of the Freedom Train exhibits are devoted to the convention at Poughkeepsie, wherein New York state ratified the constitution on July 26, 1788. Of significance are the manuscript journal of the convention proceedings, and the copy, on parchment of the constitution, with the appended suggested amendments, which George Clinton signed as president of the convention, all from the New York state library.

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### THE LINCOLN CAMPAIGN OF 1864

A group of documents and pamphlets collected by the late James Callanan, of Des Moines, and evidently used in the political campaign for President Lincoln in 1864, constitute a valuable acquisition by the State Department of History and Archives.

They were kept by him in his Des Moines home at Twenty-eighth and Woodland, where they remained after his death in 1904, until in December 1943, when they were presented to the department by Mrs. Doolittle, then

in charge at the place known as Hill's Retreat or sanitarium.

These particular documents were never made use of as the pages are uncut. Some of them were issued by a Union Executive Congressional committee, of which Senator James Harlan was the treasurer. The interesting ones include the following:

Abraham Lincoln, speech at Cooper Union, Feb. 27, 1860, which gave him standing in the east.

Wm. H. Seward, speech at Auburn, Sept. 3, 1864, on the fall of Atlanta.

James Harlan, speech on the Constitution.

Charles Sumner, the "Crime Against Kansas."

Daniel S. Dickinson, speech on Duty of Loyal Men.

Carl Schurz, on "Dougalism Exposed."

Henry G. Stebbins, on "Paying for the War."

Sherman, Hooker and Grant letters.

Geo. Bancroft and James Wadsworth letters.

J. G. Barnard, on the Peninsular Campaign.

Prof. Laborlaye, on the Presidential Election.

Vallandigham, Sup. Com. "Sons of Liberty," expose of "Copperhead Conspiracy in the Northwest."

"Shall We have an Armistice?"

Francis Lieber, on "Lincoln or McClellan," (German and English).

"English Tories and the Election."

Soldiers on Their Right to Vote.

"Leave Pope to Get Out of His Scrape."

"The Submissionists and Their Record."

"Sherman vs. Hood."

Correspondence Lydia Maria Child with Governor Wise and others on John Brown.

Report Judge Advocate General on "Order of American Knights" or "Sons of Liberty," a Western Conspiracy.

These documents tie in with those in the department files accumulated during the years following the close of the Civil war era, and still fresh in minds of Iowans in the eighties and nineties.

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#### USE OF CENTENNIAL COMMITTEE PROFITS

The Iowa Centennial committee closed its activities with the issue of a very fine report summarizing a year of intense work. This was prepared by Edith W. McElroy, the executive secretary, and Lester Milligan, the

chairman of the committee, on whom devolved much of the detail work of furthering celebrations and kindred things relating to Iowa's first hundred years as a state. The committee had of state funds \$16,000 and left of this a balance of \$2,145.44 unused. From the sale of the Iowa commemorative half-dollar coin there was realized about \$195,000 profit, which will go to historical purposes. A permanent committee of three has been named by Governor Robert D. Blue to determine the historical purposes to which the fund will be devoted, as designated by the act of congress. The members of the committee are Judge Frederic M. Miller, former supreme justice of Iowa, Dean Martin L. Tollefson, of the law school of Drake University, both of Des Moines, and Dean Mason Ladd, college of law of the State University of Iowa.

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#### IOWA'S MEDIUM LAKE RENAMED

Lake Five Island at Emmetsburg, in Palo Alto county, is the new name for Medium lake, heretofore so well known. The change was determined upon locally in 1946 and recommended by the state conservation commission. Now the United States division of geography, at Washington, made the designation official as of August 10 last. Hereafter all state and Federal maps and documents will bear the new name. The lake is a quarter of a mile to a mile wide, and extends northeast from Emmetsburg five miles.

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The new "Book of Des Moines" by Ilda M. Hammer, published by the City Board of Education, contains much assembled material of a historical nature concerning Des Moines and Iowa, attractively presented, representing data gleaned from a wide number of sources by the author. The volume will have especial value as a text book in Des Moines public schools and will be found in many private libraries. A most valuable feature is the group of suggestions following the close of each chapter for the class use and treatment of the subjects included. It is profusely illustrated from authentic photographs.



## IOWA'S NOTABLE DEAD

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JOHN JUDSON HAMILTON, editor and public official, died at Pasadena, California, on his ninety-third birthday, November 10, 1947; born at Harrisville, Penn., November 10, 1854, the son of Catherine Logan and William Hamilton, a stone mason, plasterer and farmer, a Union soldier in the Civil war, and grandson of William Hamilton, a soldier in the War of 1812; removed with parents in 1866 to a farm in Lick township, Davis county, Iowa, adjoining Salt township, where B. F. Carroll lived, and made his home there until 1879; entered the State University of Iowa and worked his way, graduating in 1877; previously served as librarian in the institution for four years; also one year as editor and one year business manager of the *University Reporter*, several terms as a tutor in Latin, a proof reader on university publications, and taught school; took a tramp of 1,000 miles through the "black belt" of Mississippi, Alabama and Georgia in the summer of 1877, and wrote a thesis upon "The Two Races in the South;" taught classes in Latin, German and physical geography in the Iowa City high school; represented the State university in an oratorical contest at Cedar Rapids, running second to S. F. Prouty, of Pella, representing Central college.

The race problem interested young Hamilton and he went to Washington in August 1878, and interviewed President Hayes; then continued investigation on the subject, and walked from there to Richmond, Virginia, making inquiries and investigations upon condition of the negro race. Returning to Davis county, with his home across the street from Gen. J. B. Weaver, he leased a one-half interest in J. A. T. Hull's paper, the *Bloomfield Republican*, for three years from April 3, 1879; became active in politics, served as chairman of the Davis county Republican committee, later a candidate for state representative, but was defeated by the Greenback party candidate; moved to Des Moines at the age of twenty-eight, and in 1883 with his sister, Mrs. Ella Hamilton Durley, purchased an interest in the *Des Moines Daily News*, with which he was connected for twenty-one years as reporter, city editor, managing editor, and editor, and after its sale to the Scripps syndicate was for two years its general manager; then retiring from the daily newspaper field, purchased an interest in and became the economic editor of the *Iowa Homestead* and other Pierce publications, including the *Wisconsin Farmer*, *Kansas Farmer and Stockman*, *Farm Gazette*, and *Homemaker Magazine*, and for nine years was actively a factor with state, regional and national publications, in behalf of which he appeared in 1906 before a congressional committee upon the "Business Freedom of the American Press."

In 1908 Mr. Hamilton became a candidate for governor, but was defeated by B. F. Carroll; an aggressive and talented man, he organized the movement in Des Moines with the help of James G. Berryhill, James R. Hanna, John MacVicar and others that resulted in the adoption of the "Des Moines Plan" of city government; and out of this experience wrote a book entitled "The Dethronment of the City Boss," which ran into three editions. Removing to California in 1911 he almost immediately renewed his public activities and with unabated vigor served successively as secretary of the charter revision commission, a member on the Pasadena board of education, member of the Board of supervisors from the San Gabriel district, and of the Pasadena city commission; later the executive secretary of the public power league of Los Angeles, which projected the Colorado river improvement and Hoover dam projects; and in 1924 directed Senator Robert M. LaFollette's presidential campaign in Southern California.

He generally affiliated with the progressive group in the Republican party; was a Presbyterian, a member of the Knight's of Pythias and A. O. U. W. society; married October 26, 1893, to Margaret George, of Des Moines, who died a month previous to his passing; and a son, John J. Hamilton, Jr., and a daughter, Mrs. Cathrine Devine, survive them.

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EDWIN DILLER STARBUCK, psychologist, writer and educator, died at Santa Cruz, California, November 18, 1947; born in Bridgeport, Indiana, February 20, 1866, the son of Samuel and Luzena Jessup Starbuck; secured his early education in Indiana schools; taught in the public schools; received A.B. degree from the University of Indiana, in 1890, A.M. from Harvard in 1895, Ph.D. from Clark university in 1897, and studied at the University of Zurich in 1904-05; served Earlham college as professor in 1906, when he came to Iowa, and had a notable career as professor of Philosophy at the University of Iowa from 1906 to 1930, becoming widely known in work as an educator, perhaps the foremost authority in America in study and research in the psychology of religion, having published the first book upon that subject in 1899; attracted intellectuals in the faculty and upon the campus, and became the confidant and defender of those often in conflict with the university administration; was one of two Americans invited in 1925 to lecture in Oslo, Norway, at the second annual lecture series of the Institute for the Comparative Study of Human Culture, established in 1919 under the auspices of Norway, Sweden, Denmark, the city of Oslo, and the Nobel Institute; became head of the department of philosophy at the University of Southern California in 1930, where he remained until his retirement a few years ago; married Anna M. Diller of Lancaster, Penn., August 5, 1896, taking his wife's maiden name for his own middle name,

who died prior to his leaving Iowa City, their children being Dr. Helen Starbuck, a practicing physician, in San Francisco, with whom he resided subsequent to his retirement, an eldest son, Arthur killed some years ago in an airplane accident, another son, Edmund, and three daughters, Winifred, Margaret and Dorothea.

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GEORGE S. HARTMAN, merchant, banker and legislator, died at his home in Fayette, Iowa, August 25, 1947; born at Sharon, Wisconsin, November 13, 1871, the son of M. J. and Emma Hartman, and moved with them to Fayette in 1877; received his education in the public schools of Fayette and attended Upper Iowa university; entered the mercantile business at Fayette in 1892 with his father and brother, Emil Hartman, under the firm name of M. J. Hartman & Sons, which continued until the death of his father in 1915, the sons thereafter operating the business under the firm name of Hartman Brothers until the death of the brother in 1932; served on the town council and as mayor of Fayette from 1932 to 1942; also as chairman of the Republican county committee; engaged in banking as director and vice president of the First National bank of Fayette from 1915 until the consolidation of the banks there in 1928; served as state senator from the Allamakee-Fayette district in sessions of the Iowa general assembly from 1921 to 1928; during the last several years has engaged in the clothing business at Fayette with his son, M. J. Hartman; married July 14, 1907, to Miss Gertrude Clothier, of Rockford, Illinois, who died February 25, 1920; and he is survived by two sons, Curtis, Charleston, W. Va., and M. J., Fayette, and three sisters, Mrs. Kate Ainsworth, Volga City; Mrs. Anna Cole, Edgewood, and Mrs. Pearl White, Long Beach, Cal.

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WILLIAM WADE HINSHAW, singer, conductor, operatic producer, died at his apartment in the Mayflower hotel, Washington, D. C., November 27, 1947; born near Union, Hardin county, Iowa, Nov. 3, 1867, son of Thomas Doane and Anna Harriett Lundy Hinshaw; graduated at Friends academy, New Providence, Iowa, 1886, Valparaiso university in law in 1897; studied singing in both this country and in Germany; married Anna Tannahill Williams September 28, 1893, who died in November 1905, and went to Chicago the same year, where he was a teacher and choir leader, and dean of the music department at Valparaiso, later becoming head of the Chicago Conservatory of Music; subsequently went to New York where he became the leading baritone singer with the Metropolitan Opera company, where he was featured for many years; married Mabel Clyde in 1911, and sang in Graz, Austria in 1912. In later years he devoted energies to writing a history of the Friends church his research covering period from the first immigration of the

Quakers to America, his book said to be the most complete history of that group ever written. Besides the widow he is survived by three sons, Carl M., member of congress, Los Angeles; W. W. Jr., with the City National bank, Chicago, and Thomas; also a daughter, Anna, and John Lundy, a cousin, of Marshalltown.

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CHARLES RALPH STAFFORD, attorney, soldier and jurist, died at Muscatine, Iowa, January 5, 1948; born in Keokuk, Iowa, September 6, 1881, son of Dr. Charles L. Stafford, former president of Iowa Wesleyan college, and Mary Allen Stafford, one of the original group founding the PEO sisterhood; came to Muscatine when his father was appointed presiding elder of the Muscatine district of Methodist churches, and remained here until 1889; graduated from Iowa Wesleyan college in 1900; returning to Muscatine in 1902 was appointed deputy county treasurer; named county treasurer in 1908 to fill a vacancy; graduated in 1911 from the University of Chicago law school, and began the practice of law that year in Muscatine; was secretary of the Muscatine independent school district from 1912 to 1916; served twice as county attorney of Muscatine county, first in 1915, resigning in 1918 to enter the U. S. army, serving as a captain, and following his discharge in 1919, again became county attorney, serving three terms; elected district judge in November 1942 following retirement of the late Judge D. V. Jackson; married October 27, 1921, to Lucile Narvis in Muscatine; a Methodist, a Mason, a member of the Elks, and former member of the Thirty-three club and the Muscatine Rotary club.

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JOHN T. MOFFIT, soldier, legislator and jurist, died at his home in Tipton, Iowa, November 11, 1947; on a farm near Mechanicsville, Iowa, July 8, 1862, the son of Alexander Moffit; graduated from the Mechanicsville high school, from Cornell college in 1884 and 1887, and from the University of Michigan law department in 1886, when he began the practice of law at Emmetsburg, Iowa, later locating in Tipton; ten years later became a partner in the Cedar Rapids law firm of Grimm, Trewin and Moffit; served as state senator from 1900 to 1904, Cedar county attorney from 1905 to 1910, and district judge from 1915 to 1942; a delegate to the Republican national convention in 1892; enlisted in the Iowa national guard in 1885 as a private and mustered out at the end of the Spanish-American war as lieutenant colonel; a member of Phi Beta Kappa fraternity and of the Cornell college board since 1906; a Republican, Presbyterian and a Mason; married to Winifred E. Hecht at Clarence September 28, 1892, who died in 1936, and surviving them is a daughter, Mrs. Margaret Platner, of Evanston, Illinois.



**WILLIAM WALTER SCOTT**, humanitarian, soldier and jurist, died at his home in Davenport, Iowa, December 7, 1947; born at Rock Island, Illinois, February 24, 1884, son of William Walter and Margaret Ann Scott, his father dying in 1905 and his mother in 1945; received his education in the schools of Rock Island and Valley Junction, Iowa; became a student in Drake University in liberal arts, and returned to Rock Island with the family in 1904, becoming a postoffice clerk there until 1910, when he re-entered Drake as a law student graduating in 1913; entered law practice in Davenport with John Weir, a former classmate at Drake; served on the Mexican border as a lieutenant, and Battery F, 123rd Field Artillery, and captain in World War I; served as justice of the peace at Davenport on his return and elected as district judge in Scott county beginning service in January 1922; a jurist twenty-seven years until his death; married Winifred K. Griffin in Davenport, August 1, 1927, who with his brother John, of Rock Island survives; known as a humanitarian of the purest type, for years devoting activities to relief of the needy and helpless; a member of the American Legion, fraternal orders, bar associations and enjoyed life-long association with the Y.M.C.A.

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**HENRY L. ADAMS**, attorney, educator and legislator, died at Des Moines, Iowa, December 14, 1947; born on a farm near Maynard, Fayette county, Iowa, November 28, 1875; graduated from the Maynard schools at sixteen and from Upper Iowa University at Fayette in 1897; was principal of the Waucoma schools two years, and appointed county superintendent of schools for an unexpired term and was re-elected three times; resigned in 1905 and entered the law school of the University of Chicago, which he attended one year, then entered the law department of the State University of Iowa, and admitted to the state bar in 1907; located at West Union in the firm of Rogers and Adams; elected senator in 1908 from the Allamakee-Fayette district, serving in the Thirty-third and Thirty-fourth General Assemblies; moved to Des Moines in 1912, becoming attorney for the C. & N. W. railway, and in more recent years specialized in insurance law; married in 1898 to Ina Holmes, of Fayette, a classmate, who graduated in the same college class, and who survives with two daughters, Mrs. Edward Rate, Iowa City, and Mrs. Paul Dowty, Evanston, Illinois; a vice president of the Pioneer Lawmakers association of Iowa, a Republican, a Mason, and a member of the Prairie club of Des Moines.

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**ORIEN W. FIFER**, minister and editor, died at Indianapolis, Indiana, September 18, 1947; born in 1868, he entered the ministry in 1891, and held pastorates in Methodist churches at Lincoln, Wahoo, Geneva and York, Nebraska, before coming to Des Moines

in 1904 as pastor of the Grace church, remaining until 1913, when he was transferred to Denver, Colorado, and from there to Indianapolis, where he served ten years as minister at the Central avenue church, and later became superintendent of the Indianapolis district; during World War I was pastor at Camp Gordon, Atlanta, Georgia; a delegate to the Methodist General Conference in 1912, 1924, 1928, 1932 and 1936; in 1939 was a delegate to the uniting conference, and in 1940 a delegate to the general and jurisdictional conferences; from 1932 to 1940 was editor of the Cincinnati edition of the *Christian Advocate*, and later as a member of the Indiana Conference, he continued to serve as pastor even after accepting the retired relationship; surviving are three sons, Warren of Webster Groves, Missouri, Paul of Oak Park, Illinois, Orien of Indianapolis, and a daughter, Mrs. Herschell E. Davis of Indianapolis.

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JOHN N. HUGHES, attorney and railway counsel, died at Des Moines, Iowa, December 14, 1947; born at Galena, Illinois, August 8, 1867; moved the next year with parents to a Jones county, Iowa farm near Scotch Grove; attended Upper Iowa university at Fayette, the University of Chicago, and Northern Illinois, college at Fulton, where he graduated receiving his law degree; admitted to Iowa bar in 1895, and began practice that year in Cedar Rapids; served that city as solicitor from 1898 to 1906 and became attorney for the C. M. & St. P. railway in 1915, in charge of its legal business in Iowa until 1942 when he became special attorney; removed to Des Moines in 1922 becoming a member of the legal firm of Hughes, O'Brien and Hughes; also served as general attorney for the Des Moines Union Railway company and district attorney for the Wabash railway; married Sarah Mabel Nichols at Madison, Wisconsin, August 12, 1902, who with a son, John N. Hughes, Jr., of Des Moines, survive him; a Democrat, a Mason, and a member of the Methodist church and Prairie club, of Des Moines.

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HARRY B. MCCLURE, film director and technician, died July 15, 1947, at Washington, D. C.; born at Dallas Center, Iowa, in 1879; graduated from Iowa State college in 1902 and went to Washington in 1906; was a Federal hay standardization expert in the Department of Agriculture, and a former motion picture director; employed in the department for thirty-nine years and its director of motion picture service and film librarian for ten years prior to his retirement in June 1945; was one of the principal technicians in the department's hay marketing and standardization laboratory established in Alexandria, Virginia, in 1920; resided at 2014 Perry street, N. E. Washington; a member of King David Masonic lodge

No. 24, and a shiner; survived by his wife, Mrs. Hannah K. McClure of Washington; a daughter, Mrs. C. H. Wells, Colton, Calif.; three step-children, Harry and Thomas Dickson and Mrs. E. T. Williams of Washington; John E. Miller of Washington, and a sister, Mrs. E. P. Wright, San Diego, Calif.

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MARION GEORGE KELLAM, jurist, died at Des Moines, December 17, 1947; born at Cuba, Kansas, April 22, 1899; received a high school education at Indianola, Iowa; attended the State University of Iowa, and received a bachelor of arts degree in 1922 and law degree in 1924; married to Mildred Belvel, whom he met at the university, at Lineville, June 2, 1923, who survives with two daughters, Patricia, a freshman at the State University of Iowa, and Mary Kathryn at home; began the practice of law at Greenfield, Iowa, in 1924, as partner of F. B. Wilson; served as Adair county attorney from 1927 to 1931, and during World War I served in the S. A. T. C. at Iowa City; appointed a judge February 9, 1944 by Gov. B. B. Hickenlooper, to succeed the late Judge W. S. Cooper; a member of the American Legion, the Masonic order and the Methodist church.

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CHARLES D. MOORE, farmer and legislator, died at Cedar Rapids, Iowa, August 6, 1947; born on a farm near Urbana, Benton county, Iowa, August 8, 1879, the son of Joseph L. and Mary E. Moore; engaged in farming and livestock business most of his life, although he taught school for a time, was in the life insurance business, served two terms in the legislature, was mayor of Urbana two years, and later secretary of the Benton county agricultural association, president of the Iowa fair managers association and lastly manager of the All-Iowa fair which he had directed since its inception; graduated from the Urbana high school in 1896 and from Schrader academy two years later, after which he attended Drake university; married in September 1917 to Birdie O. Berg, of Denison, Iowa, and is survived by his wife, a son, George R. Moore of Cedar Rapids; a member of the Christian church, the Masonic order and was a Democrat.

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CHARLES EDWARD PAYNE, educator, and author, died at Grinnell, Iowa, November 30, 1947; born in 1879, at Hamilton, Ontario, Canada; came to the United States with his parents, Mr. and Mrs. Charles H. Payne, residing at Terre Haute, Indiana; educated at Indiana State Normal school, the University of Indiana, Harvard university and Oxford, England; after a year as superintendent of schools at Pennville, Indiana, came to Grinnell college in 1907 as a history instructor; became full professor of European history in 1918, and chairman of the history department from 1925 to 1944; taught summer sessions at the State University of



Iowa in 1930 and 1931, and at the University of Minnesota in 1932; was guest professor at Scripps college in 1935-36; was for forty years a member of the faculty of Grinnell college, and honor professor for 1947-48, the second incumbent of that chair since its establishment for one bringing honor to the institution; married in 1925 to Ina Chatterton, a Grinnell graduate in 1918, who survives him, together with his mother and a brother, F. W. Payne, both of Terre Haute; traveled extensively in Europe and regularly attended sessions of the Williamstown Institute of Politics, studying under such eminent social scientists as Arnold Toynbee; author of "J. B. Grinnell," a biography of the city and college founding father, in 1938, besides being co-author of "Imperial England" in 1919, and a contributor to "Biography of Jesse Macy" in 1933, and served as president of the Iowa Historical association, also dean of Grinnell's Institute of International Relations.

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WALTER H. VANCE, legislator and historian, died at Des Moines, Iowa, December 7, 1947, of third degree burns; born in Washington county, Indiana, April 19, 1857, the son of William M. and Mary Knox Vance; moved with family to Sangamon county, Illinois, in 1865, and later the same year to Oneida, Ill., where they lived until moving to Madison county, Iowa, in 1878; engaged in farming and teaching school; married at Winterset December 24, 1880, to Lucy May Nicholson, and they were the parents of two daughters and six sons, all of whom with his wife survive; moved to Winterset in 1892; served as county recorder, deputy county clerk, deputy county auditor and representative in the Iowa legislature from 1919 to 1921, postmaster of Winterset from 1908 to 1913 and curator of the Madison county historical society for a number of years; a member of the Knights of Pythias, the Masons and the Methodist church.

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DON V. MCLEAN, farmer and legislator, died in Marshalltown, Iowa, September 28, 1947; born near Marshalltown, July 7, 1880, the son of Henry C. and Emma J. McLean; attended public schools and Iowa State college; farmed in Marshall county many years and moved to Marshalltown in 1943; active in the farm bureau, serving as its president several years; also treasurer and president of the Central Iowa fair association, and past president of the Iowa Farm Mutual Insurance company; a director and president of the Iowa Taxpayers' association; served as representative from Marshall county in the state legislature from 1933 to 1937; married December 27, 1906, to Anna M. Packer, also of Marshalltown, who with three children survive; a member of the Congregational church, the Lion's club, and a Mason.





